3. Information of this nature should at once have been communicated to me by your Government by telegraph, and I have to request that you will take such steps as may be necessary for securing the regular transmission in future, by telegram, of any intelligence of great importance.

Memorandum from G. M. BATTEN, Esq., Under Secretary to the Government of India, No. 1292, dated 27th February 1869.

Ordered that a copy of the above be sent to the Foreign, Home, Military and Public Works Departments, and the Governments of Bombay and Madras, for information and guidance."

RESOLUTION.—Copies of this Despatch to be communicated to the several Departments of the Secretariat for guidance.

Ordered that copies of the above be forwarded to the Departments of the Secretariat.

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CIRCULAR.

No. 1910 OF 1856.

GENERAL DEPARTMENT.

To

ALL HEADS OF OFFICES.

SIR,

The Right Honourable the Governor in Council is pleased to rule that no Head of an Office shall offer an appointment to any employé in another office except through the channel of his immediate superior, and that if such superior can spare without inconvenience the person whose services may be applied for, he will communicate the offer to him, but not otherwise.

Bombay Castle, 16th June 1856.

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Transfer of Officers from one Department to another.

No. 270.

GENERAL DEPARTMENT.

Bombay Castle, 24th January 1888.

Resolution of the Government of India, Home Department (Public), No. 64—2752-68, dated 3rd December 1887 :—

"READ—

Home Department Resolution No. 4559, dated the 5th October 1871.

RESOLUTION.

In the Resolution read above, the rule, that one Department of the Government of India should not engage, either permanently or temporarily, an officer employed under another Department without previously obtaining his services from that Department by

a formal notification in the Gazette, was repeated, but it was at the same time laid down that, when the services of an officer belonging to any of the Civil Departments were required for any temporary work not lasting beyond a month and not involving interference with the duties on which he might be engaged at the time, no formal transfer of his services would be necessary. In that case the proposed appointment could be made at once and intimation of it given at the time to the Department to which the officer belonged.

2. Instances having occurred in which officers subordinate to one Local Government or Administration have been offered employment direct by another Local Government or Administration, the Governor General in Council is pleased to direct that all such offers in future shall invariably be made through the Local Government or Administration, or if the officer concerned is directly subordinate to the Government of India, through the Department of the Government of India to which the officer whose services are required is subordinate. These orders will not apply to cases in which the services of officers are required for short periods not exceeding one month in duration. Such cases will continue to be governed by the ruling contained in paragraph 2 of the Resolution of the 5th October 1871.

ORDER.—Ordered, that a copy of this Resolution with a copy of the Resolution of October 1871 be forwarded to all Local Governments and Administrations for information and guidance;

and that a copy be forwarded to all Departments of the Government of India for information and necessary further action."

RESOLUTION.—Copies of this Resolution, together with copies of the Resolution of the Government of India, Home Department, No. 4559, dated 5th October 1871, referred to therein, should be communicated to all Departments of the Secretariat and to all Heads of Offices under those Departments for information and guidance.

No. 4559.

Extract from the Proceedings of the Government of India in the Home Department (Public), under date Simla, the 5th October 1871.

RESOLUTION.

It has hitherto been the rule that one Department of the Government of India should not engage permanently or temporarily an officer employed under another Department, without previously obtaining his services from that Department by a formal notification in the Gazette. But this procedure is found to be inconvenient and unnecessary in cases of temporary appointments for short periods, when such appointments do not interfere with the regular duties of the officer concerned.

2. It has, therefore, been decided that, in future, when the services of an officer belonging to any of the Civil Departments are required for any temporary work not extending beyond a month, and without interference with the duties on which he may be engaged at the time, no formal transfer of those services shall be necessary; but that the proposed appointment can be made at once, intimation of it being given at the time to the Department to which the officer belongs.

3. These orders are not applicable to officers serving under the Military and Public Works Departments.

ORDER.—Ordered, that a copy of the above Resolution be forwarded to the Foreign and Financial Departments and the Department of Agriculture, Revenue and Commerce, for information and guidance, with reference to office memorandum thence, No. $\frac{\text{1856 G.}}{\text{3598}}$ / 256, dated $\frac{\text{13th}}{\text{13th}}$ / 9th ultimo.

Ordered, also, that a copy of the above Resolution be forwarded to the Military Department for information, with reference to office memorandum thence, No. 333, dated 11th ultimo.

(True Extract.)

(Signed) E. C. BAYLEY,

Secretary to the Government of India.

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Leave and Appointments: Rules regarding the transfer of officers from one establishment to another, and the acceptance by Government officers, whether on leave or not, of other employment, with the consent of their departmental superiors.

No. 491.

FINANCIAL DEPARTMENT.

Bombay Castle, 17th February 1888.

Resolution of the Government of India, Department of Finance and Commerce, No. 546, dated 31st January 1888 :—

"It has been brought to the notice of the Government of India that officers employed under Government sometimes obtain leave of absence, with the intention of taking up other employment under Government or otherwise, or accept such employment while on leave. Where this is done with the previous knowledge and consent of the officer's departmental superior, the practice is not open to objection. There is reason, however, to believe that, in the absence of any specific directions, officers are apt to consider it unnecessary to obtain the consent of their immediate superiors before accepting employment elsewhere; and as it seems advisable that this practice should be discontinued, the Governor General in Council has prescribed the following rules :—

(1) No Head of an Office should employ, either temporarily or permanently, an officer belonging to another establishment, without the previous consent of the officer on whose establishment he is at the time borne. In cases in which, for reasons which may appear satisfactory to the new employer, such consent cannot be obtained before the officer joins his new appointment, his employment may be made conditional on consent being obtained in due course.

(2) It shall be incumbent upon an officer employed under Government, whether on leave or not, before *accepting* other employment, either to resign his previous appointment or to obtain the consent of his departmental superior to his accepting such employment. If such consent is not obtained, either previously or, when this is not possible, in due course, the officer renders himself liable to be discharged from his previous appointment and thus to lose the benefit of his previous service for pension.

"2. There is nothing in these rules to prevent an officer on one establishment seeking employment on another. But an officer is not placed under any disability by resigning one appointment to take up another (Civil Pension Code, 101, 17); and it must be held to be a breach of discipline, if an officer actually transfers his services to a new employer without first obtaining the consent of his old employer, or definitely resigning his old employment.

"ORDERED, that this Resolution be communicated to the several Local Governments, Administrations, and Heads of Departments for information and guidance.

"ORDERED, also, that the Resolution be published in the *Gazette of India*."

RESOLUTION.—Copies of the Resolution of the Government of India should be forwarded to all Heads of Offices and Departments for information and guidance.

2. The Resolution has been republished in the *Bombay Government Gazette* of the 9th instant.

Leave and Appointments: Revised orders relating to the acceptance of private employment by Government officers during leave.

No. 2635.

FINANCIAL DEPARTMENT.

Bombay Castle, 6th June 1899.

Resolution of the Government of India, Finance and Commerce Department, No. 2256-P., dated 17th May 1899 :—

"Read—

Resolution by the Government of India in the Finance and Commerce Department, No. 3738, dated 10th July 1888, prohibiting officers in receipt of furlough or leave allowances from taking service under any other employer in India; and, in the case of officers lent to any other employer, from taking leave or obtaining leave allowances unless they actually quit their employment for the period of such leave.

RESOLUTION.—In supersession of the Resolution read in the preamble, the Governor General in Council is pleased to issue the following orders relating to the conditions of acceptance of private employment during leave.

No gazetted officer of Government, who is in receipt of furlough or leave allowance, may, without the special orders of the Government of India, take service under any other employer in India, and no such officer, whose services have been lent to any other employer in India, can take leave or obtain leave allowances from the Government of India, unless he actually quits his employment for the period of such leave. In the case of a non-gazetted officer the previous consent of his departmental superior is sufficient authority for the taking of leave with the object of obtaining such employment and for the acceptance of such employment during leave.

ORDER.—Ordered that this Resolution be communicated to all Local Governments and Administrations, to the several Departments of the Government of India (except the Public Works Department), to Heads of Departments subordinate to this Department, and to all Accountants General and Comptrollers for information.

Ordered also that a copy of this Resolution be forwarded to the Public Works Department, with reference to the communication from that Department, No. 127-G., dated 4th February 1899.

Ordered also that this Resolution be published in the *Gazette of India*."

RESOLUTION.—Copies of the Resolution of the Government of India should be forwarded to all Departments of the Secretariat and to all Heads of Offices for information with reference to Government Resolution No. 2478, dated 6th August 1888.

2. The Resolution of the Government of India has been republished at pages 838 and 839 of the *Bombay Government Gazette*, Part I, dated 1st June 1899.

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Speculations.

No. 2005.

GENERAL DEPARTMENT.

Bombay Castle, 16th November 1864.

RESOLUTION.—Ordered that the following Circular be issued to the principal Heads of Departments and Offices under this Government and published in the *Government Gazette* for general information:—

In forwarding, for communication to all Officers under your control, the annexed extracts from the Proceedings of Government in 1861 to 1863, portions of which have been already published, the Governor in Council considers it necessary to recall to the recollection of all Departments of the Government service that so recently as the 31st May 1862 the Right Honourable the Secretary of State recorded his decision that although, as a general rule, he saw no objection to the servants of Government holding shares in Joint Stock

Extract (paragraphs 2 to 10) of a Minute by Sir George Clerk, dated 15th November 1861.

Extract (paragraphs 1, 4, 5 and 6) of a Minute by Sir George Clerk, dated 26th December 1861.

Letter from the Government of India, No. 1421, dated 11th March 1862.

Extract from the Proceedings of the Government of India, No. 453, dated 16th January 1863.

Companies having for their object the development of the resources of the country, still it was necessary to impose the restriction that public servants should take no part in the management of such institutions, and should not be employed within the districts where the operations of the Company might be carried on.

Vide Notification of the Government of India, No. 383 of the Home Department, Revenue, dated Fort William, 16th January 1863, republished in *Government Gazette* of Bombay under date February 4th, 1863.

2. The Right Honourable the Secretary of State for India likewise concurred in the view held by Sir George Clerk that supersession in promotion was the proper and practicable course for enforcing the orders of Government in this respect.

3. His Excellency the Governor in Council now desires to point out to all public servants of Government at this particular period, when there is so strong a tendency to speculation in Bombay, the extreme importance of obedience to the spirit of all the previous orders above alluded to, rather than to the mere letter of the law, and to repeat that Government will be guided in its action in accordance with the principles laid down by Sir George Clerk, concurred in by the Government of India and the Right Honourable the Secretary of State.

4. The Governor in Council has no wish to go further than is absolutely necessary in defining, by specific restrictions, limitations easily recognised by that high-toned sense of public duty which has always stood out as one of the strong characteristics of the Indian services. He believes it to be sufficient to remind all public servants of the great importance of avoiding any connection, however remote, with any undertaking which might tend to fetter their action, or divert them from the numerous and important responsibilities imposed by the public service upon them.

5. Without, therefore, attempting to lay down stringent rules on the subject, the Governor in Council would caution every one connected with the Government, or belonging to any Department or office at or near the Presidency, in which the affairs of any Company are likely to form a matter of official reference or discussion, that he will run extreme risk of having his motives misconstrued, more especially during the present period of excitement, should he become a shareholder in any such Company.

6. Where any officer has held shares, under the general permission accorded by Government, previous to his appointment to such an office as has been above described, and he wishes to retain them as an investment, the case is materially altered, and His Excellency in Council confidently leaves such cases to be dealt with according to each officer's sense of the proper course to be followed in the spirit of the instructions now laid down.

GENERAL DEPARTMENT.

Bombay Castle, 11th September 1872.

The following Notification by the Government of India is republished for general information:—

"Public.

Simla, the 28th August 1872.

No. 3421.—The following Despatch from the Right Honourable the Secretary of State for India on the subject of prohibiting public officers from engaging in speculation in India is hereby republished for general information.

As doubt has been expressed regarding the application of the orders contained in the Despatch, the Governor General in Council thinks it right to give notice that he will be prepared to enforce the principle therein laid down in regard to all public servants of whatever class or position; and His Excellency in Council relies on Local Governments, Administrations and Heads of Departments to see that it is not infringed:—

Despatch No. 46, dated 31st May 1862.

I have considered in Council your letter (No. 23), dated 11th March 1862, transmitting your Proceedings, consequent on the accompanying minutes by the Governor and the members of the Government of Bombay on the question of prohibiting public officers from engaging in speculations in India.

2. You will have learned from my Despatch to the Government of Bombay, No. 11, dated the 8th April last, that in connection with the orders of that Government of the 26th November 1861, relative to the case of public officers who might take part in any Company formed for working the gold mines in the Dummul Hills, I stated that 'as a general rule I see no objection to servants of Government holding shares in mining or other Companies having for their object the development of the resources of the country; and the only restriction I think it necessary to impose is that public servants shall take no part in the management of such institutions, and shall not be employed in the districts where the operations of the Company may be carried on.'

3. * * * * * * * I think it important that this condition should be maintained, and I have to direct that my decision, communicated in the terms above quoted to the Government of Bombay, may be made generally applicable, and may be published for general information.

4. There can be no doubt as to the great evil of public servants in India engaging in speculations in the public funds or in the shares of Joint Stock Companies; but I agree in the opinion of Lord Canning that such a practice on the part of any officer could not long escape the knowledge of Government, and that it would be in the power of Government to mark its sense of such conduct either by withholding such promotion, or in any other way it might deem fit.

(Signed) H. L. DAMPIER,
Officiating Secretary to the Government of India."

By order,

E. W. RAVENSCROFT,
Acting Chief Secretary to Government.

Lands.

No. 1739.

REVENUE DEPARTMENT.

Bombay Castle, 25th March 1881.

Resolution of the Government of India in the Home, Revenue and Agricultural Department, Nos. 12—365-831, dated 7th March 1881:—

"Read again—

Home Department Resolution No. 13—467, dated 13th February 1874, on the subject of the holding of land by Government servants in India and of speculative investments by public officers.

Read also—

Despatch to Her Majesty's Secretary of State for India, No. 320 (Financial), dated 28th September 1880.

Despatch from Her Majesty's Secretary of State for India, No. 120 (Railway), dated 30th November 1880.

RESOLUTION.

In the Despatch of 20th September 1880 the Right Honourable the Secretary of State for India was informed that, in the belief that the rule forbidding public officers to act as Directors of a Company does not affect the power of Government

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to appoint a public servant as a Director to watch the public interests, the Government of India had sanctioned the appointment of the Commissioners of Kumaon and Rohilkhand to act as Government Directors of the Bareilly-Ranibagh Light Railway. It was added that the fact of the officers above named being shareholders need not, in the opinion of the Government of India, prevent their appointment to be Government Directors, inasmuch as it seemed improbable that the interests of the Government would conflict with those of the shareholders.

2. The Secretary of State in reply remarks :—

'It may, as you observe, be improbable that the interests of the Government should conflict with those of the shareholders. The interest of both may generally be identical; but nevertheless, as a matter of principle, and without any personal reference or consideration, I concur in the opinions which have been expressed by my predecessors on the subject, and I think it best that, if it is considered advisable for the Commissioners of Kumaon and Rohilkhand to continue as Government Directors, they should divest themselves of all personal interest in the Railway.'

3. The above decision must be treated as a general ruling bearing on the subject, and the Governor General in Council accordingly directs that it be circulated to Local Governments and Administrations for information and future guidance."

RESOLUTION.—Copies to be furnished to all Heads of Offices under the Revenue, Financial and General Departments in continuation of Government memorandum No. 1690, dated 31st March 1874.

2. Copies should also be sent to all other Departments in continuation of Government Resolution No. 609, dated 2nd March 1874, General Department.

Native Civilians.

No. 1198.

GENERAL DEPARTMENT.

Bombay Castle, 3rd April 1882.

Read the following extract from the Proceedings of the Government of India in the Home Department, Public, No. 11—426-37, dated the 14th March 1882 :—

Read the under-mentioned papers :—

Letter from the Government of Bengal, No. 3303-J., dated the 15th August 1881.

Circular endorsement to Local Governments and Administrations, No. 49—1597-1605, dated the 4th October 1881.

Letter from the Government of Madras, No. 1573, dated the 21st November 1881.

Letter from the Government of Bombay, No. 3467, dated the 17th October 1881.

Letter from the Government of the North-Western Provinces and Oudh, No. 260, dated the 26th January 1882, and enclosures.

Letter from the Government of the Punjab, No. 4450, dated the 6th December 1881.

Letter from the Chief Commissioner of the Central Provinces, No. 408—205, dated the 4th February 1882.

Letter from the Chief Commissioner of British Burma, No. 569—299-N., dated the 26th October 1881.

Letter from the Chief Commissioner of Coorg, No. 1130—71, dated the 21st October 1881.

Letter from the Chief Commissioner of Assam, No. 5-T., dated the 1st November 1881.

Letter from the Resident at Hyderabad, No. 460, dated the 14th December 1881, and enclosure.

RESOLUTION.

In a letter dated 15th August 1881 the Bengal Government referred, for the consideration of the Government of India, a question which had arisen in connection with an application made by a member of the Native Civil Service for permission to lend money beyond the limits of the district in which he was employed. It was pointed out that the existing legislative provisions prohibiting trading and money-lending in the case of members of the Covenanted Civil Service appeared to apply equally to Natives of India appointed to the Civil Service, under the provisions of 33 Vic., Cap. III, Section 6, and that the particular application made by a member of the Native Civil Service for permission to lend money was accordingly inadmissible. At the same time it was suggested that some relaxation of the existing rule might be desirable in the case of Natives of India appointed to the Civil Service under the provisions of the above Statute, and His Honour the Lieutenant-Governor recommended that a general rule should be issued permitting members of the Native Civil Service to invest money in landed securities, provided that the transaction was negotiated through a respectable firm of Solicitors at the Presidency Town, and that the Commissioner of the Division was informed at the time of the transaction.

2. After a careful consideration of the question, and of the replies received from Local Governments and Administrations whose opinions were invited upon the recommendation made by His Honour the Lieutenant-Governor of Bengal, the Governor General in Council has arrived at the conclusion that, as regards trading and lending or borrowing money, there is no sufficient reason why members of the Native Civil Service should be placed under different rules from Covenanted Civil Servants generally. The rules, therefore, upon these subjects which at present apply to members of the Covenanted Civil Service should be held to apply also to Natives of India appointed to the Civil Service under the provisions of 33 Vic., Cap. III, Section 6.

3. As regards the holding of land the case is different, inasmuch as members of the Native Civil Service do, at the present time, in some cases, hold land in the Provinces in which they are employed, and it appears unnecessary to require them to divest themselves of such land or to prevent them from acquiring additional landed property, provided that certain restrictions are observed. In these respects, the rules at present applicable to members of the Covenanted Civil Service may, in the opinion of the Government of India, properly be relaxed in the case of members of the Native Civil Service, who should be permitted to hold any lands actually in their possession when they enter the service of Government, or which may come into their possession thereafter by inheritance, gift, or devise, provided that full information in respect of such lands is given to the Local Government, which will consider in each case whether the fact of an officer holding any particular lands need be a bar to his employment in the district where these are situated. No fresh purchase of land should, however, be allowed on the part of a member of the Native Civil Service without the previous sanction of the Local Government under which he is serving.

ORDER.—Ordered, that a copy of this Resolution be forwarded to Local Governments and Administrations for information and guidance;

also to the Foreign Department for information."

RESOLUTION.—Copies of the above Resolution of the Government of India should be communicated to Messrs. Sorabji Padamji Pestonji, Lakshman Gopal Deshmukh, and Ganpatrao Damodar Panse, and to Sheik Jehangir Mian, for information and guidance. Copies should also be forwarded to all Commissioners of Divisions and all Collectors.

Native Civil Servants: Rules as regards trading, money-lending and the holding of land by —:

No. 3000.

GENERAL DEPARTMENT.

Bombay Castle, 7th August 1882.

Letter from the Secretary to the Government of India, Home Department (Public), No. 26-1096, dated 21st July 1882 :—

"In continuation of Home Department Resolution No. 11-426 to 437, dated 17th March 1882, relative to the extent to which the rules as regards trading, money-lending and the holding of land applicable to members of the Covenanted Civil Service should

be held to apply also to Natives of India appointed to the Civil Service under the provisions of 33 Vic., Cap. 3, Section 6, I am directed to forward, for the information of His Excellency the Governor in Council, a copy of a Despatch* from Her Majesty's Secretary of State for India, and with regard to its 2nd paragraph to observe that it will doubtless be understood that only *bona fide* gifts from relatives or near friends are recognized as permissible."

* No. 68, dated 8th June 1882.

Despatch from Her Majesty's Secretary of State for India to His Excellency the Governor General of India in Council (Public), No. 68, dated 8th June 1882

"I have had under my consideration in Council your Despatch No. 17, dated the 4th April, transmitting (along with other papers on the subject), Your Lordship's Resolution of the 17th of March last, as to the extent to which the rules as regards trading, money-lending and the holding of land, at present applicable to members of the Covenanted Civil Service, should be held to apply also to Natives of India appointed to the Civil Service under the provisions of Statute 33 Vic., Cap. III, Section 6.

"2. The conclusions at which Your Excellency in Council has arrived meet with my general approval, some relaxation of the existing rules being probably necessary in the case of members of the Native Civil Service. I would, however, call attention to the word 'gift' as used in your Resolution. The meaning which Your Excellency intended to attach to the word is indicated by the context, which relates to inheritance and devise. But it seems to me that care is necessary in order to prevent its being read in a wider sense than is warranted by the language of the Resolution when properly construed."

RESOLUTION.—Copies of the above letter and of its accompaniment should be forwarded to Messrs. Sorabji Padamji Pestonji, Lakshman Gopal Deshmukh, and Ganpatrao Damodar Panse and to Sheik Jehangir Mian for information and guidance, in continuation of Government Resolution No. 1198, dated 3rd April last. Copies should also be forwarded to the Commissioners of Divisions and in Sind and to all Collectors, including Collectors and Deputy Commissioners in Sind, in continuation of the same Resolution.

Rules regarding members of the Covenanted and Uncovenanted Service taking part in the management of Companies.

No. 4472.

GENERAL DEPARTMENT.

Bombay Castle, 13th November 1882.

Letter from the Secretary to the Government of India, Home Department (Public), No. 45—1688, dated 20th October 1882:—

"With reference to Home Department Notification No. 3421, dated 28th August 1872, I am directed to forward a copy of the correspondence marginally noted, relative to the questions (1) whether an officer who is on furlough is at liberty to undertake the management of a Company, and (2) whether there is any distinction as regards taking part in the management of Companies between officers belonging to the Covenanted and the Uncovenanted services.

Despatch to Secretary of State, No. 41, dated 8th July 1882.
Despatch from Secretary of State, No. 99, dated 7th September 1882.

"2. I am to request that the rules laid down by Her Majesty's Secretary of State on these questions may be carefully observed by all public officers under your Government."

No. 41, dated Simla, the 8th July 1882.

From—The Government of India;

To—Her Majesty's Secretary of State for India.

In his Despatch No. 46 (Public), dated 31st May 1862, Sir Charles Wood, in replying to a reference made to him by the Government of India on the subject of Government servants holding lands and engaging in speculations in India, observed

that he saw no objection to servants of Government holding shares in mining or other Companies having for their object the development of the resources of the country, and the only restriction which he thought it necessary to impose was that public servants should take no part in the management of such institutions, and should not be employed in the districts where the operations of the Company might be carried on. The orders contained in that Despatch were promulgated for general information in January 1863, and were subsequently (August 1872) republished, with the remark that the Governor General in Council would be prepared to enforce the principle therein laid down in regard to all public servants, of whatever class or position.

2. A question has now been raised whether an officer who is on furlough is at liberty to undertake the management of a Company and whether there is any distinction in this respect between officers belonging to the Covenanted and the Uncovenanted services. We think that no such distinction can be drawn so far as the rules in question are concerned. The Notification issued by the Government of India on the 28th August 1872 distinctly states that the principle of the Despatch cited above of 31st May 1862 applies to "all public servants, of whatever class or position," and the principle is that public servants are to take no part in the management of Companies. We are therefore of opinion that this should be made clear by declaring that the rules apply to the Uncovenanted as well as to the Covenanted service.

3. Regarding the question whether an officer may be allowed while on furlough to assume the management of a Company, we would observe that no specific or authoritative ruling on this point appears to have been given. In Despatch to the Secretary of State No. 3, dated 8th August 1864, the Government of Bombay referred for orders the case of the * * * * * * who, while on furlough in India, became one of the editors of the * * * * newspaper; and in paragraph 8 of that Despatch they expressed the opinion that there was no sufficient reason for excluding any occupations in which Government servants might engage while on furlough within the limits of lawful and respectable employments, excepting those likely to cause engagements extending beyond the duration of the furlough, and those which lead to new relations with Government independent of and liable to be inconsistent with the relations between Government and its paid officers. Applying these principles, which appear to us to be sound, to the case under consideration, the management of a Company may be held to be a "lawful and respectable employment." On the other hand, it is an employment which might not improbably "cause engagements extending beyond the duration of the furlough," and might lead to "new relations with Government independent of and liable to be inconsistent with the relations between Government and its paid officers." Moreover, we consider that an officer taking furlough is not entitled to divest himself entirely of the restrictions and responsibilities under which he rests while on duty. For these reasons, therefore, we are inclined to the opinion that it is undesirable that an officer who is on furlough should undertake the management of a Company. We desire, however, to receive Your Lordship's instructions on the subject, as similar cases have doubtless already been brought to Your Lordship's notice, owing to the fact that most officers while on furlough reside in England and it is desirable that in this matter there should be no divergence between the practice of the Secretary of State and that of the Government of India.

No. 99, dated London, the 7th September 1882.

From—Her Majesty's Secretary of State for India;

To—The Government of India.

I have considered in Council the Despatch of Your Excellency in Council, No. 41, dated 8th of July last, relating to the questions whether an officer who is on furlough is at liberty to undertake the management of a Company, and whether there is any distinction as regards taking part in the management of Companies between officers belonging to the Covenanted and to the Uncovenanted services.

2. I agree with Your Excellency in the opinion that the principle of Sir Charles Wood's Despatch (No. 46, Public) dated 31st May 1862 applies to all public servants of whatever class and position, and that all public servants, whether they be Covenanted or Uncovenanted, are alike prohibited from taking part in the management of Companies.

3. I am also of opinion that this prohibition is none the less applicable to a public servant because he happens to be on furlough, for the fact of an officer's being on furlough does not appear to me substantially to diminish the serious objections which exist to his engaging in the management of a Company.

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RESOLUTION.—Copies of the Government of India's letter and of its accompaniments should be forwarded to all Departments of the Secretariat and to all Heads of Offices under the several Departments of the Secretariat for information and guidance, with reference to Government Circular No. 2005, dated 16th November 1864.

2. The letter from the Government of India and its enclosures were published in the *Bombay Government Gazette* of the 2nd instant.

Rules regarding members of the Covenanted and Uncovenanted Services taking part in the management of Companies.

No. 248.

GENERAL DEPARTMENT.

Bombay Castle, 24th January 1883.

Memorandum from the Government of India, Home Department, No. 1—32, dated 11th January 1883—Forwarding copy of their following letter, No. 30 of the same date, to the Manager of the Alliance Bank of Simla, Limited, together with the letter from the Manager to which it is a reply:—

"In reply to your letter dated 19th ultimo, I am directed to say that the orders prohibiting public servants from taking part in the management of Companies are applicable to the case mentioned by you, and that Uncovenanted officers are accordingly prohibited from becoming members of Bank's Board of Directors."

Dated Simla, the 19th December 1882.

From—JAMES WALKER, Esq., Manager, Alliance Bank of Simla, Limited;

To—The Secretary to the Government of India, Home Department.

I have the honour to enquire if the recent orders of Government, prohibiting public servants from engaging in the management of Companies, apply in the case of an Uncovenanted officer who is a member of a Bank's Board of Directors, a consultative body elected by shareholders to represent them, having no active part in the actual management of the Bank. Soliciting the favour of an early reply.

RESOLUTION.—Copies of the above papers should be forwarded to all Departments of the Secretariat and to all Heads of Offices under the several Departments of the Secretariat for information and guidance in continuation of Government Resolution No. 4472, dated 13th November 1882.

2. The papers should also be published in the *Bombay Government Gazette* for general information.

Companies: Rules regarding members of the Covenanted and Uncovenanted Services taking part in the management of —.

No. 3499.

GENERAL DEPARTMENT.

Bombay Castle, 24th September 1883.

Letter from the Secretary to the Government of India, Home Department (Public), No. 37-1212, dated 6th September 1883:—

"I am directed to forward, for information and guidance, a copy of the correspondence marginally noted with Her Majesty's Secretary of State for India on the subject of the connection of public servants with the management of Co-operative Associations. It will be observed that it has also been decided that the standing orders relating to the connection of Government officers with trading companies do not apply in the case of clerks and other ministerial officers in Government employ."

Despatch to Secretary of State, No 25, dated 24th April 1883.
Despatch from Secretary of State, No. 73, dated 19th July 1883.

No. 25 (Public), dated Simla, the 24th April 1883.

From—The Government of India;

To—Her Majesty's Secretary of State for India.

We have the honour to transmit herewith a copy of a letter from certain tradesmen carrying on business at Simla, representing that a Co-operative Association at that station is managed and directed by Covenanted and Uncovenanted servants of the Government, and praying, with reference to the existing orders of the Government which prohibit public servants from engaging in the management of Companies, that the gentlemen who now take part in the direction and management of the Association may be instructed to withdraw from their connection with it. We also transmit a copy of the documents marginally noted, together with a copy of our orders, dated 11th January 1883 (referred to in the first paragraph of the memorialists' letter), ruling that Uncovenanted officers are prohibited from becoming members of the Board of Direction of any Bank.

1. Memorandum of Association of "The Simla Co-operative Association, Limited."
2. Article of Association of "The Simla Co-operative Association, Limited."

2. It will be seen that the "Memorandum of Association" of the Simla Co-operative Association, Limited, declares that "the objects for which the Company is established are for the purpose of carrying on a general mercantile business and supplying shareholders and season-ticket holders of the Association, and the public if hereafter found desirable, with articles both for consumption and general use, at the lowest possible prices, and the doing all such other things as are incidental or conducive to the attainment of the above object." It further appears that shareholders alone are entitled to participate in the profits of the Association. Under the "Articles of Association" a share cannot be transferred without the consent of the Directors, but on the death of a member his shares are transmissible to his executors or administrators, and on his bankruptcy or insolvency to the persons legally entitled thereto. Directors are not to receive any remuneration unless and until the general body of shareholders at a general meeting decide that such remuneration is to be paid; and in any case the remuneration is not to exceed Rs. 20 a month. A reserve fund may be formed, and no greater dividend than 6 per cent. per annum upon the paid-up capital is to be declared until the reserve fund reaches a sum equal to one-fourth of the capital of the Association.

3 A perusal of the "Memorandum" and "Articles of Association," by which alone can the legal character of the institution be determined, leads us to the conclusion that this Association must at present be held in law to be a trading company in the ordinary sense of that term, though we are informed that it does not, in fact, sell to the general public or to any but registered subscribers.

4. We have reason to believe that similar Associations have been formed elsewhere among Railway employés and others; and we are unwilling to do anything to discourage them so long as they confine their operations to those of mutual supply. It has been suggested that if the Association at Simla modified its constitution by binding itself formally to restrict its operations to those of a mutual supply association, not to sell goods to outsiders, and not at any time to divide among its members profits exceeding a fixed and reasonable rate of interest on the capital advanced, there would be no objection to allowing Government officers to serve on its direction.* This is the view that we are ourselves inclined to take; but as doubts have been raised as to whether the prohibitions contained in Sir C. Wood's Despatch No. 46 of the 31st May 1862, and the other standing orders regarding the connection of Government officers with trading companies are in any case intended to apply to associations of this kind, and are not rather meant to prevent Government officers from interesting themselves in Companies designed to develop the resources of the country, which are necessarily of a more speculative character, it appears to us desirable to ask for an authoritative expression of the views of Your Lordship on the whole subject.

* From a notice issued by the Directors (copy enclosed) we gather that the change indicated is likely to be made.

5. There appear to us to be sufficient grounds for prohibiting public officers from being concerned in the management of any description of Company established for purposes of trade and trade profits, such, for instance, as Banks, in regard to which we recently issued the ruling referred to in paragraph 2 of this Despatch; but, as already intimated, we would not interfere with Co-operative Associations *bonâ fide* conducted as such, which exist only for purposes of mutual supply and not for profit.

6. Another point which has been raised in connection with this case is the question whether the standing orders under consideration apply only to the gazetted officers of Government of the Covenanted and Uncovenanted services, or whether they are to be held applicable in the case of clerks and other ministerial officers in Government employ. We think that, looking to the object which the orders had

in view, their operation may be held to be confined to the case of gazetted officers, and that in the case of ministerial and other subordinates, it is sufficient to see that they give to Government the whole of the time for which they are paid. Government need not ordinarily concern itself with their avocations out of office hours so long as these do not involve them in pecuniary difficulties or disreputable associations; but it should always be at liberty to prohibit such employments for sufficient reason in any particular case.

No. 73 (Public), dated India Office, London, the 19th July 1883.

From—Her Majesty's Secretary of State for India;

To—The Government of India.

I have considered in Council your letter No. 25, dated 24th April last, transmitting, with connected papers, a copy of a letter which has been addressed to you by certain tradesmen carrying on business at Simla, representing that some Covenanted and Uncovenanted servants of Government are engaged in the management and direction of a Co-operative Association, and requesting that they may be directed to withdraw from the Association.

2. Your Lordship considers that the Association as constituted must be held to be a trading company in the ordinary sense of the term. I concur with Your Excellency in this opinion, and think that public servants are precluded under existing orders from taking part in the management of such an Association.

3. You further express the opinion that there would be no objection to Government officers engaging in the direction of the Association if it modified its constitution by formally binding itself to restrict its operations to those of a mutual supply association, and not to sell to any save members of the Association, and not at any time to divide among its members profits exceeding a fixed and reasonable rate of interest on the capital advanced. You are doubtful, however, whether the provisions of Sir Charles Wood's Despatch of the 31st May 1862, and other standing orders on the same subject, would apply to connection with an Association of this nature, and you request an authoritative expression of my views on the subject.

4. The orders referred to were not intended to apply to the participation of Government officers in the direction of those Companies only which are designed to develop the resources of the country, and you have recently very properly ruled that they preclude such officers from taking part in the direction of Banks. But the question of the propriety of allowing public servants to engage in the management of an Association for mutual supply turns on a different principle, that, namely, of the compatibility of a second employment with the due discharge of the public one which the officer holds. And it appears to me that the orders were not intended to apply, and ought not to be applied, to Associations which are *bonâ fide* for the purpose of mutual supply and not of trade and trade profit. Whilst, however, it is not necessary that public servants should be absolutely prohibited from taking part in an Association of this restricted kind, it must be remembered that such extra employment may frequently be prejudicial to the public service on the ground that as a general rule no one can serve two masters; and care should be taken that the interests of the Government do not suffer.

5. I concur with Your Excellency in Council in thinking that the standing orders as to the connection of Government officers with trading companies apply only to gazetted officers of Government of the Covenanted and Uncovenanted services, and do not apply in the case of clerks and other ministerial officers in Government employ. With regard to this class, the supervision of Heads of Departments will, I trust, always suffice as a check; and, moreover, Government can at any time prohibit any extra employment which in its opinion it is undesirable that its servants should undertake.

RESOLUTION.—Copies of the papers should be forwarded to all Departments of the Secretariat and to all Heads of Offices under the several Departments of the Secretariat for information and guidance in continuation of Government Resolution No. 248, dated 24th January 1883.

2. The papers should also be published in the *Bombay Government Gazette* for general information.

Connection of Public Servants with landholding and commercial speculation in India.

No. 893.

GENERAL DEPARTMENT.

Bombay Castle, 14th March 1884.

Resolution of the Government of India, Home Department (Public), No. $\frac{5}{224\text{-}48}$, dated 20th February 1884 :—

"Read the following papers :—

Home Department Resolution dated 14th January 1862.
Ditto ditto dated 16th January 1863.
Ditto ditto dated 13th February 1874.

RESOLUTION.

A case has recently come before the Government of India in which the standing orders regulating the connection of public servants with landholding and commercial speculation in India had been infringed. The Governor General in Council accordingly considers it desirable to call attention to those orders, and directs that the Resolutions cited in the preamble, copies of which are hereto attached, should be re-circulated for the information and guidance of Local Governments and Administrations and officers serving under them.

I.—Resolution of the Governor General in Council and Notification dated the 14th January 1862.

Read the following correspondence on the subject of Government servants holding land in India :—

Revenue Consultation, 20th January 1860, Nos. 1 to 3.
Revenue Consultation, 7th April 1860, Nos. 1 to 5.
Revenue Despatch to Secretary of State, No. 6 of 1860, dated 2nd April.
Revenue Despatch from Secretary of State, No. 36 of 1860, dated 24th July.
Revenue T. S. Proceedings, 31st August 1860, Nos. 52 and 53.
Revenue Proceedings, 25th October 1860, Nos. 46 to 52.
Revenue Despatch to Secretary of State, No. 37 of 1860, dated 25th October.
Revenue Proceedings, 26th October 1860, Nos. 53 to 55.
Revenue Despatch to Secretary of State, No. 38 of 1860, dated 26th October.
Revenue Proceedings, 31st October 1860, Nos. 70 and 71.
Revenue Despatch to Secretary of State, No. 39 of 1860, dated 31st October.
Revenue Proceedings, 8th March 1861, Nos. 1 and 2.
Revenue Despatch to Secretary of State, No. 5 of 1861, dated 8th March.
Revenue Despatch from Secretary of State, No. 22 of 1861, dated 10th August.
Revenue Despatch to Secretary of State, No. 16 of 1861, dated 1st October.
Revenue Despatch from Secretary of State, No. 29, dated 30th November 1861.

RESOLUTION.—In the Despatch No. 22, dated the 10th of August 1861, the Secretary of State lays down rules under which Government servants may hold landed property in India; and prescribes that in the case of Covenanted Civil Servants, the possession by them of such property shall be contingent on its being situated out of the Presidency to which they are attached. This restriction is modified as regards the Presidency of Fort William by the subsequent Despatch of the 30th of November, No. 29, wherein the Secretary of State accords his permission to officers of the Bengal Civil Service attached to the Lower Provinces acquiring and holding lands in the Upper Provinces, including the Punjab and Oudh, and, similarly, to officers attached to the Upper Provinces acquiring and holding lands in the Lower Provinces. In according this permission the Secretary of State requires that officers possessing lands in either Division of the Presidency shall be absolutely precluded from employment under the Local Governments of the Division in which their lands are situated.

B 1423—35.

Resolved, that the following Notification be published in the *Calcutta Gazette* :—

Notification dated the 14*th January* 1862.

The following orders passed by the Right Honourable the Secretary of State in Council on the subject of possession of the landed property in India by public servants are published for general information :—

(1) Extract from the Secretary of State's Despatch No. 22, dated the 10th August 1861.

Paragraph 1. I have had under my consideration in Council Your Excellency's letters dated the 25th, 26th and 31st October 1860 (Nos. 37, 38 and 39) and 8th March (No. 5) 1861, on the subject of the possession of landed property in India by the public servants of the State.

* * * * * * *

4. I have carefully considered in Council the entire subject, and I am now prepared on the part of Her Majesty's Government to lay down the following Rules for your future guidance. I should premise that these Rules refer only to the acquisition or possession of lands intended to be applied to agricultural purposes, and are not to be construed to include lands occupied merely by buildings for residence and their usual appurtenances.

5. Officers of the Covenanted Civil Service are at liberty to acquire and possess lands anywhere out of the Presidency to which they are attached, but are absolutely precluded from holding lands within their own Presidency. Thus an officer of the Bengal Civil Service may hold lands in Madras or Bombay, but cannot be permitted to hold lands in any part of the Bengal Presidency, notwithstanding that at the time of their acquisition he may himself be actually employed in a different Lieutenant-Governorship from that in which the lands may happen to be situated.

6. Regimental military officers may hold lands in any part of India, with the distinct understanding, however, that a military officer possessing land will be disqualified for temporary employment in any civil capacity in the district within which his land is situated; but military officers who are placed in permanent employment in the civil administration must, like the officers of the Covenanted service, be prevented from holding land in the Presidency to any part of which they may be sent.

7. No restrictions are to be placed on the possession or acquisition of lands by Uncovenanted officers of any description, whether of European, Indo-British, or Native descent, beyond those now in force.

8. Officers of all classes (including candidates for office) must, however, be required to make a declaration of the fact of their being in possession of, or of their having acquired, landed property, stating the district within which it is situated, with such other particulars as you may consider necessary, of which registers should be kept at the seat of Government of each Presidency or Lieutenant-Governorship. Although Uncovenanted officers are not to be precluded from holding land, it may nevertheless be inexpedient that appointments which necessarily confer a considerable amount of power and influence on their occupants, such as those of Sadar Amin, Deputy Collector and Tahsildar, should be filled by persons holding landed property within their jurisdiction; and it is right that the several Governments should always have at hand the information necessary to guide their judgment in selecting individuals for such offices.

9. It will, moreover, be incumbent on the several Local Governments to take care that no officer who may be in possession of landed property in India or elsewhere, to whatever class of the service he may belong, shall apply any portion of the time and attention which ought to be devoted to his public duties, whether civil or military, to the management of that property, and that longer or more frequent leaves of absence are not to be permitted on that account.

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(2) Secretary of State's Despatch No. 29, dated the 30th November 1861.

With reference to the letter from Your Excellency in Council, dated the 1st October last (No. 16), which has been considered by me in Council, I have resolved to accede to your recommendation for a modification of the terms of my Despatch of the 10th August last (No. 22), so far as to permit officers of the Bengal Civil Service

attached to the Lower Provinces to acquire and hold land in the Upper Provinces, including the Punjab and Oudh. Similarly officers attached to the Upper Provinces may be permitted to acquire and hold lands in the Lower Provinces of Bengal. It will, of course, be understood that such officers possessing lands in either Division are absolutely precluded from employment under the Local Governments of the Division in which their lands are situated.

Ordered, that a copy of the foregoing Resolution be sent to the Local Governments noted in the margin, and (No. 259) to the Military Department, and (No. 260) Public Works Department for information, and (No. 261) to the Foreign Department for information and for communication to the Government of the Punjab, the Chief Commissioner of Oudh, the Chief Commissioner of the Central Provinces, the Commissioners of Mysore, Pegu and the Tenasserim Provinces, and to such other officers under the control of the Department as may be deemed necessary.

No. 254, Government of Bengal.
„ 255, Government of the North-Western Provinces.
„ 256, Government of Fort St. George.
„ 257, Government of Bombay.
„ 258, Government of the Straits Settlements.

II.—Resolution of the Governor General in Council, and Notification dated the 16th January 1863.

Read the following papers on the subject of Government servants holding lands and engaging in speculations in India :—

Revenue Despatch from Secretary of State, No. 22 of 1861, dated 10th August.

Do. do. do. No. 16 of 1861, dated 1st October.

Do. do. do. No. 29 of 1861, dated 13th November.

Resolution of the Government of India, dated 14th January 1862.

Letter from the Government of Bombay, No. 323, dated 28th January 1862.

Minutes by the Governor General and the Members of Government thereon, recorded on Public Proceedings of the 11th March 1862, Nos. 10 to 13.

Letter to Government of Bombay, No. 1421, dated 11th March 1862.

Public Despatch to Secretary of State, No. 23 of 1862, dated 11th March.

Letter from Secretary to the Landholders' and Commercial Association, dated 31st March 1862, and its enclosed memorial addressed to the Secretary of State, praying that the Covenanted and Military servants of Government may be permitted to purchase and hold lands in India without any restriction.

Revenue Despatch to Secretary of State, No. 9 of 1862, dated 12th April.

Letter from Government of Madras, No. 537, dated 11th March 1862.

Minutes by the Governor General and the Members of Government thereon recorded on Revenue Proceedings of the 8th May 1862, Nos. 2 to 7.

Revenue Despatch to Secretary of State, No. 10 of 1862, dated 8th May.

Public Despatch from Secretary of State, No. 46 of 1862, dated 31st May.

Do. do. do. No. 59 of 1862, dated 18th July.

Revenue Despatch from Secretary of State, No. 22 of 1862, dated 25th November.

Resolution.—In his Despatch No. 46, dated 31st May 1862, the Secretary of State observes that, as a general rule, there is no objection to Government servants holding, under certain restrictions, shares in Mining or other Companies having for their object the development of the resources of the country. In the recent Despatch dated the 25th of November, Sir Charles Wood states that the question raised by the Landholders' and Commercial Association was fully considered when his Despatches No. 22, dated 10th August, and No. 29, dated 30th November 1861, were under preparation, and he sees no reason to modify the instructions conveyed therein. He also communicates instructions on the points submitted by the Government of Madras relative to a Civilian holding shares in a Joint Stock Company formed for agricultural purposes in his own Presidency, and in regard to a Madras Civilian holding land in Mysore, Coorg, Cochin or Travancore; or becoming a shareholder in a Company formed for holding or cultivating land in those territories.

Resolved, that the following Notification be published in the *Calcutta Gazette* :—

Notification dated the 16th January 1863.

The following orders passed by the Right Honourable the Secretary of State for India are published for general information, in continuation of the Notification No. 241, dated 14th January 1862, published in the *Calcutta Gazette* of the 15th idem :—

(1) Extract from the Secretary of State's Public Despatch No. 46, dated the 31st May 1862.

2. You will have learned from my Despatch to the Government of Bombay, dated the 8th April last, No. 11, that, in connection with the orders of that Government of the 26th November 1861, relative to the case of public officers who might take part in any Company formed for working the Gold Mines in the Dummul Hills, I stated that, 'as a general rule, I see no objection to servants of Government holding shares in Mining or other Companies having for their object the development of the resources of the country; and the only restriction I think it necessary to impose is, that public servants shall take no part in the management of such institutions, and shall not be employed in the districts where the operations of the Company may be carried on.'

3. With the exception of the concluding proviso, that no public officer shall be employed in any district where any Company, in which he holds shares, may carry on its operations, the sentiments above-expressed are in accordance with the opinions recorded by Earl Canning and the several Members of your Council; and as I think it important that this condition should be maintained, I have to direct that my decision, communicated in the terms above quoted to the Government of Bombay, may be made generally applicable, and may be published for general information.

4. There can be no doubt as to the great evil of public servants in India engaging in speculations in the public funds, or in the shares of Joint Stock Companies; but I agree in the opinion of Lord Canning that such a practice, on the part of any officer, could not long escape the knowledge of Government, and that it would be in the power of Government to mark its sense of such conduct, either by withholding promotion, or in any other way it might deem fit.

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(2) Extract from the Secretary of State's Revenue Despatch No. 22, dated the 24th November 1862.

3. In your letter of the 8th May (No. 10), you request to be informed whether a Covenanted Civilian may hold shares in a Joint Stock Company formed for agricultural purposes, such as tea or coffee cultivation, in his own Presidency. This question is sufficiently answered in my Public Despatch of the 31st May (No. 46) 1862, which you would have received shortly after the date of your reference.

4. As regards the question whether a Covenanted Madras Civilian may hold land in Mysore, Coorg, Cochin or Travancore, I agree with your Government in viewing with disapproval the holding by Covenanted Civil Servants of lands in Native States; and I consider that the same objection applies to the holding of such lands by military officers in the actual service of the Crown in India.

5. The right of officers, civil or military, to hold shares in the Agricultural Companies operating in Native States may be regulated by the same rules as apply to their holding shares in similar Companies within the British territories.

Ordered, that a copy of the foregoing Resolution be forwarded to the Government of Bombay, with reference to their letter No. 323, dated 28th January 1862, and the reply to it, No. 1421, dated 11th March 1862; to the Government of Madras, with reference to their letter No. 537, daetd 11th March 1862; and to the Governments of Bengal and the North-Western Provinces, as well as the Straits Settlement, and the Military and Public Works Departments for information; and to the Foreign Department for information and for communication to the Government of the Punjab, the Chief Commissioners of Oudh, Central Provinces and British Burma; the Commissioner of Mysore, and to such other officers under the control of that Department as may be deemed necessary.

Ordered also, that a copy of paragraphs 1 and 2 of the Despatch dated the 25th November 1862, No. 22, be forwarded to the Landholders' and Commercial Association, with reference to their Secretary's letter dated the 31st March 1862.

III.—Resolution No. 13—467, *dated Fort William, the* 13*th February* 1874.

Read the subjoined extracts from a correspondence with Her Majesty's Secretary of State for India on the subject of the holding of land by Government servants in India and of other investments:—

Extract paragraphs 3 to 8 of Despatch to the Secretary of State, No. 40, dated the 16th June 1873.

3. The main rule which we propose to alter is that which deals with the holding of land in India by Covenanted Civilians and by Military officers in civil employ. The general rule now is that no such Civil officer may hold land within his own Presidency. The correspondence which has only just ended raised the point whether officers belonging to the Financial Department who are liable to serve in any Presidency or Province are debarred under this rule, or under any other, from holding land anywhere in India beyond their own Presidency. And the reply of the Secretary of State in his Despatch marginally cited* was that the prohibition (imposed by the general rule above quoted) does not apply to districts in which officers of the Financial Department may be temporarily serving outside the limits of the Presidency to which they were originally appointed. By the wording of this reply the ruling which it conveyed applied only to the case of the Financial Department, but the letter† from this Government which submitted the case had pointed out that 'under the literal terms of the rules it is clear that a Bengal Civil Servant may ordinarily acquire any land in British Burma.' And, though the answer from the Secretary of State may be understood to assume that an officer connected with the local administration of a Province outside the limits of his original Presidency is forbidden by the spirit of existing rules from holding land within that Province, yet this important construction is not positively laid down either in the Despatch from the Government of India or in the Secretary of State's reply to it. Practically, and especially in delicate and closely contested cases, a rule is only effective within the range of its literal meaning. And the literal meaning of the general rules which curtail the right of Covenanted and Commissioned Civil officers to acquire land is still only this, that the land must not be within the Presidency to which they were first appointed. Thus an officer who, like an Accountant General, may be sent to serve in any Province or Presidency, or who like a Secretary to the Government of India or Member of the Supreme Government may be officially connected with all Provinces, is only debarred by the haphazard of his first appointment from holding land in one particular Presidency, whether he be actually serving in it or not. Nor is it absolutely certain, according to the letter of the rules (though according to their spirit there may be no doubt), that the present Chief Commissioner and Judicial Commissioner of British Burma, being both Bengal Civilians, are incapable of holding land in that Province, which is separate from the Bengal Presidency.

* No. 74, dated 15th December 1866.

† No. 21, dated 13th July 1866.

4. We have determined that it is expedient to remove these doubts and inconsistencies by amending the rules so as to bring them back into direct correspondence with their original objects and motives. The reasons why certain officers in civil employ were forbidden to hold land in their own Presidency are‡ (1) because their attention might be diverted from public to private business to the detriment of public business; and (2) because they might use (or be suspected of using) their official influence unduly for their own benefit, and to the disadvantage of others in the management of their estates. But these reasons obviously apply with equivalent force wherever an officer holds land and public office in the same Province; wherefore we desire to pass the plain rule that henceforward no officer (Covenanted or Military in civil employ) shall hold land in a Province with the administration of which he is in any manner connected. If this rule is approved, then the aforesaid civil officers will be precluded from taking office which gives any sort of jurisdiction over any part of a Province within which they may hold land, and (conversely) from holding or acquiring land within the territorial limits of the Province in which they may be serving, temporarily or permanently. In fact, they must choose, upon any transfer or fresh appointment which raises the dilemma, between holding office and holding land; they cannot hold both in one Province. But we do not wish to give the new rule retrospective effect, or to make it interfere with the right of civil officers to keep land which they have already acquired under the permission given by preceding regulations; though in the event of promotion to high administrative positions, such officers may be expected to take an early opportunity of conforming to the general rule in force. And it should be here noted that we propose to retain, for the purposes of these rules, the definition of land-holding which was framed by Sir C. Wood,§ whereby it is taken to mean only the acquisition of land intended for cultivation, not of land occupied by buildings for residence. Whether land can be held for commercial speculation is a different question, which we touch upon toward the end of this letter.

‡ See Despatch of Supreme Government to Secretary of State, No. 6, dated 2nd April 1860.

§ Despatch, 10th August 1861.

B 1423—36

5. We are aware that the effect of the broad rule which we have now proposed will be to hamper greatly any safe investment in land in India by officers who are liable to serve in different Presidencies and Provinces. And we admit that it must operate to discourage civil officers generally from making these investments anywhere; for the land must always be held at a considerable distance, and on a precarious tenure, since in these days transfers from one Presidency or Province to another are much less rare than formerly. Nor do we overlook the arguments, often urged heretofore, that there is some actual advantage in associating under due precaution official position with landed interest in the country. But it has long been decided that these considerations are more than counterbalanced by the disadvantages accompanying the possession of land in a Province by officers who belong to its civil administration. This being the case, we feel the necessity of making one plain rule that shall be logical and consistent; and we observe that the extension which we propose to give to the prohibiting rule already in force will only affect comparatively small sections of the whole body of civil officers; that is, it will affect those only who are liable to serve beyond the limits of the Presidency to which they were first appointed, or who may be officially connected with districts beyond those limits. It may, if unreservedly enforced, prevent a member of the Supreme Government from holding any land at all in India; although we do not pledge ourselves to enforce it thus absolutely, or without making special exceptions in cases which are plainly unobjectionable. We propose to bring under the same category with Covenanted Civilians and Military officers in civil employ all persons holding offices ordinarily held by officers of these classes. The amended rule will then run to the effect that no such civil officer shall acquire, or continue to hold, land in any Province to which he is temporarily or permanently appointed, or with the administration of which he is concerned. And we intend to preserve unchanged all the other rules which have from time to time been passed in restraint of land-holding by different classes of public servants in various situations.

6. In regard to all investments other than those in land for the profits of cultivation, we have adopted and propose to notify the general principle that servants of Government are expected to abstain from any investment (though of itself unobjectionable) which interests them privately in affairs or undertakings of the kind with which their public duty is connected. The principle is well known, and the reasons for it are obvious; but we have latterly found cause for believing that it should be re-asserted distinctly.

7. We have recently been asked to consider the question of speculative investments by public officers, which is on some sides of it cognate to the subject of this letter, but we take it to be on the whole a different matter requiring different treatment. For although we can frame a precise rule demarcating the limits within which land should or should not be held by public servants, and although it is easy to say that a Financial officer must not hold shares in a Bank within his circle, or a Consulting Engineer Railway shares, yet we do not propose to go farther and to attempt any literal definition of the stage at which the holding of land or other valuable property becomes speculative. We need only remark that while land-holding and other investments are under certain conditions forbidden to public servants as a necessary precaution against evils (one of which is speculation) that may possibly follow, habitual speculation by officials is held by us to be an evil in itself. And we have given notice that we reserve to the Government full power to deal stringently with the practice whenever it appears to prevail.

8. We enclose copies of correspondence with the Government of Bengal* upon the advisability of endeavouring to frame a definition of the term which shall include all transactions by a public servant which a Government may properly disapprove. We are of opinion that no such fixed rule of conduct is really needed, either by Government or by their officers, for their guidance in this matter.

* From Bengal, No. 1445 G., dated 30th December 1872.
To Bengal, No. 1195, dated 10th April 1873.

No. 1445 G., dated Calcutta, the 30th December 1872.

From—C. E. Bernard, Esq., Officiating Secretary to the Government of Bengal, Appointment Department;

To—The Officiating Secretary to the Government of India.

Referring to the Notification of the Government of India in the Home Department, dated 28th August 1872, and published at page 814 of the *Gazette of India* of the 31st idem, on the subject of prohibiting public officers from engaging in speculations in India, I am directed to submit that the Notification seems to the Lieutenant-Governor to put Local Governments in a position from which they may fairly ask to be relieved by a more exact definition as to what are the speculations which public officers may, and what they may not, engage in. I am to point out that it is notorious that, since the publication of the Despatch of 1862, very many

officers have engaged in what is commonly termed speculation; that is to say, in the days of the Company mania they applied for allotments in the shares of many Companies, real and bubble; they took shares in tea estates, mines, mills; sometimes they bought and sometimes they sold.

2. The Lieutenant-Governor finds it impossible to draw a line between permanent investments and purchase with a view to re-sale, it being only a question of degree. It can be only said that it was commonly believed that some officers in Calcutta (and, it is believed, still more in Bombay) went into these things to such an extent that they were commonly spoken of in society as much addicted to speculation. Yet His Honour is not aware that action was taken or precise rule laid down. Such times may recur, and isolated cases probably do occur; many servants of Government still hold shares in many undertakings, public and private, and the Lieutenant-Governor does not know what is to be considered a speculation and what not.

3. There are, moreover, certain public officers who also engage in private business, *e.g.*, Law officers, and some as the Administrator General, who apparently have always held themselves entitled publicly to serve as Directors of public Companies.

No. 1495, dated Fort William, the 10th April 1873.

From—A. C. LYALL, Esq., Secretary to the Government of India;

To—The Officiating Secretary to the Government of Bengal, Appointment Department.

I am directed by the Governor General in Council to reply to your letter No. 1445 G., dated 30th December last, desiring some definition of the term 'speculation' for use in applying the rule which prohibits officers from engaging in it.

2. The question here raised by His Honour points evidently to cases which lie beyond those particular dealings which are already prohibited by rule, such as investment in land within the district to which an officer belongs, connection with the management of any Bank or business, and other transactions barred by specific order. His Honour now inquires whether the Supreme Government would lay any formal restriction upon speculative investments generally so as to regulate precisely what an officer may or may not do.

3. I am to reply that His Excellency in Council would not attempt to shape, for public servants, any such fixed rule of conduct in this matter. If it were possible to devise such a rule, the expediency of doing so would be questionable; for His Excellency believes that, in practice, the spirit of existing orders is beyond mistake,—that it never can be really misconceived by officers in the service, and therefore that there can be no practical difficulty about enforcing those orders as they now stand.

4. The Government of India consider that there exists an essential difference between permanent and speculative investments, that the distinction is one of motive, and that the frequency of a man's purchase and sales may be, and usually is, very good evidence of his motive in effecting them. If an officer habitually buys and sells securities of a value notoriously fluctuating, it is clear that he is addicted to speculation, and he thereby undoubtedly lays himself open to the disapproval of Government, which can be expressed in various ways, and in a degree proportionate to the nature of the dereliction. If he engages in such pursuits to an extent which attracts public notice and unfavourable remark, so that his integrity or his application to his public duties is discussed and doubted, then he has given rise to a scandal with which the Government will have to deal.

5. His Excellency believes that these general instructions will be found to govern all the cases to which your letter alludes; and if so, to those cases they may be applied. In regard to officers whose whole time is not at the disposal of Government, they are not in precisely the same category with other public servants. Nevertheless if their behaviour gives rise to scandal, that is, to common rumour that they are in any way making private profit out of the opportunities given by their official position, in that event the Government can of course recognize no difference whatever between these and other servants of the State.

Extract paragraph 4 of Despatch from the Secretary of State, No. 99, dated the 26th August 1873.

I fully approve of the orders which have been issued by Your Excellency in Council on the general question of investments by Covenanted Civilians and Military officers in civil employ.

RESOLUTION.—The Governor General in Council desires that the foregoing extracts be forwarded to the Local Governments and Administrations for information and for circulation to all officers affected by the present orders, or holding a position in which they are likely to be so affected.

2. His Excellency in Council is pleased to determine, in continuation of preceding orders upon the same subject, that Covenanted Civil Servants and Military officers in civil employ, and all persons holding civil offices ordinarily held by Covenanted or Commissioned officers of the two classes aforesaid, are prohibited henceforward from acquiring or holding land within the Province with the administration of which they are concerned, whether that connection be permanent or temporary. This order will not necessarily take retrospective effect.

3. With regard to investments of any kind by public servants, it is hereby notified that the rules and general principles contained in the 6th and 7th paragraphs of the Despatch to the Secretary of State, and in the enclosures to which they refer, will henceforward be acted upon by the Government, and are to be observed by all officers, of every rank and class, in the public service.

Nos. 13—468 to 486.

ORDER.—Ordered, that a copy of this Resolution be forwarded to the several Departments of the Government of India, to the Local Governments and Administrations, to the Superintendent of Port Blair and the Nicobar Islands, and to the Director General of the Archæological Survey of India, for information and guidance."

RESOLUTION.—Copies of the Resolution of the Government of India and of its enclosures should be forwarded to all Departments of the Secretariat and all Heads of Offices under those Departments for information and guidance.

Rule regarding transfer of shares in Joint Stock Companies in the name of the Secretary of State for India.

No. 1183.

FINANCIAL DEPARTMENT.

Bombay Castle, 23rd April 1885.

Resolution of the Government of India, Department of Finance and Commerce, No. 1407, dated 21st March 1885 :—

"The Governor General in Council is pleased to direct that under no circumstances shall shares in any Joint Stock Company be transferred to, or allowed to stand in the name of, the Secretary of State for India in Council except with the express consent of the Governor General in Council.

"Ordered, that this Resolution be communicated to the several Departments of the Government of India, the several Local Governments, the Comptroller General and several Accountants General, and the several Chiefs of Departments administered by the Department of Finance and Commerce."

RESOLUTION.—Copies of the Resolution of the Government of India should be forwarded to all Departments of the Secretariat and all Heads of Offices for information and guidance.

Government Servants: Orders regarding the connection of — with land-holding and commercial speculation in India.

No. 2135.

GENERAL DEPARTMENT.

Bombay Castle, 9th June 1885.

Letter from the Secretary to the Government of India, Home Department (Public), No. 21—798, dated 13th May 1885:—

"In the course of correspondence with a Local Government it has been brought to the notice of the Government of India that some misapprehension exists as to the precise scope and proper interpretation of the standing orders which regulate the connection of public servants with land-holding and commercial speculation in India. The Governor General in Council accordingly considers it desirable, in continuation of Home Department Resolution Nos. 5—224-246, dated 20th February 1884, to frame for facility of reference on the part of Local Governments and Administrations and officers serving under them, a brief summary of the existing rules, and of the more important interpretations which have been placed upon certain of them by the Government of India with the approval of Her Majesty's Secretary of State.

Acquisition and possession of landed property intended to be applied to agricultural purposes.

"2. Covenanted Civil Servants, Military officers in civil employ, and all persons holding civil offices ordinarily held by Covenanted or Commissioned officers of the two classes above mentioned are prohibited from acquiring or holding land within the Province in which they are employed or with the administration of which they are concerned, whether that connection be permanent or temporary.* This prohibition does not extend to land occupied merely by buildings for residence and their usual appurtenances.

* To Secretary of State, No. 40, dated 16th June 1873; from Secretary of State, No. 99, dated 26th August 1873 (embodied in Home Department Resolution No. 13-467, dated 13th February 1874).

"3. Natives of India appointed under the Statutory Rules are permitted to hold any lands actually in their possession when they enter the service of Government, or which may come into their possession thereafter by inheritance, gift† or devise, provided that full information in respect of such lands is given to the Local Government, which will consider in each case whether the fact of an officer holding any particular lands need be a bar to his employment in the district where these are situated. No fresh purchase of land is, however, allowed on the part of a Statutory Civil Servant without the previous sanction of the Local Government under which he is serving.‡

† *I.e., bonâ fide* gifts from relatives or near friends.

‡ Home Department Resolution Nos. 11—426-37, dated 17th March 1882; and Circular letter Nos. 26—1095-1104, dated 21st July 1882.

(Despatch from Secretary of State, No. 68, dated 8th June 1882.)

"4. Uncovenanted officers exercising independent judicial or revenue functions, whether of European, Eurasian or Native descent, are not debarred from acquiring or possessing landed property in British India for agricultural purposes, provided that they must not hold landed property in the districts in which they are employed. Although Uncovenanted officers are not precluded from holding land, it is inexpedient that appointments which necessarily confer a considerable amount of power and influence on their occupants, such as those of Munsif, Deputy Collector, and Tahsildar, should be filled by persons holding landed property within their jurisdiction.§

§ Despatch from Secretary of State, No. 22, dated 10th August 1861.

"5. Officers of all classes (including candidates for office) must be required to make a declaration of the fact of their being in possession of, or of their having acquired, landed property, stating the district within which it is situated, with such other particulars as may be considered necessary, of which registers should be kept by the Local Governments concerned. ‖

‖ Despatch from Secretary of State, No. 22, dated 10th August 1861.

"6. It is incumbent on the several Local Governments to take care that no officer who may be in possession of landed property in British India or elsewhere, to whatever branch of the service he may belong, shall apply any portion of the

time and attention which ought to be devoted to his public duties, whether Civil or Military, to the management of that property, and that longer or more frequent leaves of absence are not permitted on that account.*

*Idem.

"7. Civil Servants and Military officers in the actual service of the Crown in India are prohibited from holding lands in a Native State for any purpose whatever. This prohibition does not extend to land occupied merely by buildings for residence and their usual appurtenances.

Acquisition and possession of landed property in Native States for any purpose.

"8. With regard to investments other than those in land for the profits of cultivation, officers in every rank and class of the public service are expected to abstain from any investment (though of itself unobjectionable) which interests them privately in affairs or undertakings of the kind with which their public duty is connected.† Subject to this general proviso, there is no objection to Government servants‡ holding shares in mining or other companies (including agricultural companies) having for their object the development of the resources of the country, provided that they must not take part in the management of any such company, and that they must not be employed in the districts where the operations§ of the company with which they may be connected are carried on.‖ This latter prohibition must be held to apply sometimes with less, sometimes with greater, force to certain officers connected with the central administration, such as Members of the Local Government, Members of the Board of Revenue and their Secretaries; and to indicate the necessity of great circumspection on the part of such officers as to the undertakings with which they become connected in any part of the province in which they are employed.¶

Investments other than those in land for the profits of cultivation.

† Paragraph 6 of Despatch from the Government of India to Secretary of State, No. 10, dated 16th June 1873; Despatch from Secretary of State, No. 99, dated 26th August 1873; and Home Department Resolution No. 13-467, dated 13th February 1874.

‡ The Secretary of State has held (a) that the standing orders as to the connection of Government officers with trading companies apply only to gazetted officers of the Covenanted and Uncovenanted services, and do not apply in the case of clerks and other ministerial officers in Government employ, with regard to whom the supervision of Heads of Departments should suffice as a check.

(a) Despatch No. 73, dated 19th July 1883, paragraph 5.

§ *N.B.*—The right of officers, Civil and Military, to hold shares in agricultural companies operating in Native States is regulated by the same rules as apply to their holding shares in similar companies within British territory.

Despatch from Secretary of State, No. 22, dated the 25th November 1862, paragraph 5.

‖ Despatch from Secretary of State, No. 46, dated 31st May 1862.

¶ To Madras Government, No. 1086, dated 10th July 1884.

"9. In the matter of taking part in the management of a company, it has been decided** that the prohibition was not intended to apply to the participation of Government officers in the direction of those companies only which are designed to develop the resources of the country, but also to preclude such officers from taking part in the direction of such institutions as Banks.†† It has also been held that the prohibition against officers taking part in the management of a company applies‡‡ to public servants on leave equally with those in active service, but that it does not extend§§ to officers, who, with the consent of the Government of India, take service under Railway Companies working under concessions from Government, nor does it apply to the management‖‖ of associations which are established *bonâ fide* for the purpose of mutual supply and not of trade and trade profit (provided in this latter case that the interests of Government do not suffer by the double employment of the officer concerned). Although the prohibition against taking part in the 'management' of a company cannot, taken literally, be held to debar an officer from taking part as a promoter or as one of the applicants for registration in the Memorandum of Association, the Governor General in Council has held that the danger against which the prohibition was aimed, namely, that of official influence being abused or official trust betrayed, is under such circum-

** Despatch from Secretary of State, No. 73, dated 19th July 1883, paragraph 4.

†† Paragraph 4 of Despatch from Secretary of State, No. 73, dated the 19th July 1883.

‡‡ From Secretary of State, No. 99, dated 7th September 1882.

§§ Resolution of the Public Works Department, Nos. 1650-1672 G., dated 14th December 1882.

‖‖ Despatch from Secretary of State, No. 73, dated 19th July 1883.

stances, not much less than if the officer took part in the management after the company has been started. Government servants are therefore distinctly forbidden to take any part in the promotion or registration of companies.

Speculation generally.

"10. It is a standing order that servants of Government are required to abstain from speculative investments, but no literal definition has been laid down as to the stage at which or circumstances under which the holding of land or other valuable property becomes speculative. It is obviously speculative to secure a grant of land supposed to be auriferous with the object of disposing of it hereafter to companies. Habitual speculation by officials has been always held to be an evil; and the Government has reserved* to itself full power to deal stringently with the practice whenever it appears to prevail. The general distinction which exists between permanent and speculative investments is sufficiently described in the extract given in the margin† from Home Department letter to the Government of Bengal, No. 1495, dated 10th April 1873.

* Paragraph 7 of Despatch to Secretary of State, No. 10, dated 16th June 1873.

Despatch from Secretary of State, No. 99, dated 26th August 1873.

† The Government of India consider that there exists an essential difference between permanent and speculative investments; that the distinction is one of motive, and that the frequency of a man's purchases and sales may be, and usually is, very good evidence of his motive in effecting them. If an officer habitually buys and sells securities of a value notoriously fluctuating, it is clear that he is addicted to speculation, and he thereby undoubtedly lays himself open to the disapproval of Government, which can be expressed in various ways, and in a degree proportionate to the nature of the dereliction. If he engages in such pursuits to an extent which attracts public notice and unfavourable remark, so that his integrity or his application to his public duties is discussed and doubted, then he has given rise to a scandal with which the Government will have to deal.

"11. The foregoing paragraphs contain a brief summary of the more important orders which have been issued from time to time on the subject under notice, and the Governor General in Council trusts that they will serve as a useful guide to Local Governments and Administrations and to Officers serving under them. It should, however, be understood that this summary merely embraces the more important orders, and does not profess to be exhaustive."

RESOLUTION.—Copies of the letter from the Government of India should be forwarded to all Departments of the Secretariat and all Heads of Offices under those Departments for information and guidance in continuation of Government Resolution No. 893, dated 14th March 1884.

The holding of land by Covenanted Civil Servants.

No. 3143.

GENERAL DEPARTMENT.

Bombay Castle, 11th October 1887.

Memorandum from the Under Secretary to the Government of India, Home Department, Public, No. 41—2076, dated 12th September 1887—Forwarding for information and guidance the following extract paragraphs 2 and 3 of a Despatch from Her Majesty's Secretary of State for India, No. 18, Public, dated 28th July last:—

"* * * *

"2. In the ninth paragraph of his minute, * * * * raises a question of some importance regarding the interpretation of the orders of the Government prohibiting members of the Civil Service from acquiring or holding lands for agricultural purposes,—the question, namely, whether * * * * * * * 'the interest in land intended to be prohibited is not a mere personal or individual interest, but extends to the acquisition of land for any relative, more particularly sons.'

"3. It is perhaps not quite clear in what sense the words '*for* any relative' in the above paragraph were intended to be used. But, taking them in what appears to me to be their ordinary meaning, I am of opinion that the orders of Government do prohibit the acquisition or holding of land for agricultural purposes by a Covenanted Civil Servant for a son or other relative; but that they do not prohibit the acquisition or holding of land for such purposes by a son or other relative, even

although the land be acquired with money furnished by the Civil Servant, *provided* that the money was given as an absolute gift, and that the Civil Servant has *bonâ fide* no interest whatever, legal or equitable, in the land or its produce."

RESOLUTION.—To be communicated to all members of the Covenanted Civil Service for information and guidance with reference to Section 31 of the Land Revenue Code, and paragraph 2 of preamble of Government Resolution No. 2135, dated 9th June 1885.

2. Copies should also be communicated to all Civil Departments of the Secretariat and to all Heads of Offices under those Departments.

Government Servants : Orders regarding the connection of — with land-holding and commercial speculation in India.

No. 3404.

GENERAL DEPARTMENT.

Bombay Castle, 29th September 1888.

Letter from the Secretary to the Government of India, Home Department (Public), No. 33—2406, dated 11th September 1888 :—

"In paragraph 5 of Home Department Circular letter No. 21—797-806, dated the 13th May 1885, which gives a summary of the existing rules and orders regulating the connection of public servants with land-holding and commercial speculation in India, it was laid down that officers of all classes (including candidates for office) must make a declaration of the fact of their being in possession of, or of their having acquired, landed property, stating the district within which it is situated, with such other particulars as may be considered necessary, and that registers containing such particulars should be kept by the Local Government concerned.

"In continuation of these orders I am now to say that His Excellency the Governor General in Council is pleased to direct that in future similar particulars must be given of property held by, and managed by, wives of officers or other members of their families living with, and in any way dependent on, them ; and that the management of such property shall be subject to the same restrictions as that of property belonging to themselves."

RESOLUTION.—Copies of the letter from the Government of India should be forwarded to all Departments of the Secretariat, and all Heads of Offices under those Departments, for information and guidance with reference to Government Resolution No. 2135, dated 9th June 1885.

Government Servants : Orders regarding the connection of — with land-holding and commercial speculation in India.

No. 1497.

GENERAL DEPARTMENT.

Bombay Castle, 17th April 1890.

Resolution of the Government of India, Home Department, Public, No. 10-R.—636-46, dated 14th March 1890 :—

"Read Home Department Circular No. 4—399-406, dated the 28th February 1889.
Read also the following replies to that Circular :—

From Government of Madras, No. 581, dated 6th July 1889.
Do. do. Bengal, No. 5 P.—2-6, dated 8th July 1889.
Do. do. do. No. 5 P.—2-12, dated 18th February 1890.
Do. do. the North-Western Provinces and Oudh, No. 320—I.-42, dated 8th March 1889.

From Chief Commissioner, Central Provinces, No. 1783—7, dated 21st March 1889.

Do. do. Burma, No. 68—101-N., dated 3rd April 1889.

Do. do. Assam, No. 1793, dated 22nd March 1889.

Do. do. Coorg, No. 625—477, dated 16th April 1889.

From the Resident at Hyderabad, No. 125-G., dated 29th March 1889.

RESOLUTION.

As it appears from inquiries made from Local Governments and Administrations that the words 'officers of all classes (including candidates for office)' occurring in paragraph 5 of Home Department Circular letter No. 21—797-806, dated the 13th May 1885, are differently interpreted in different Provinces, the Governor General in Council thinks it desirable to remove any doubts as to the scope of the orders contained in that paragraph, and hereby declares that they apply to all officers in superior service."

RESOLUTION.—Copies of the Resolution of the Government of India should be forwarded to all Departments of the Secretariat and all Heads of Offices under those Departments for information and guidance in continuation of Government Resolution No. 2135, dated 9th June 1885.

Government Servants: Orders regarding the connection of — with landholding and commercial speculation.

No. 2726.

GENERAL DEPARMENT.

Bombay Castle, 10th July 1890.

Letter from the Government of India, Home Department, Public, No. 19 Pub.—1163, dated 14th June 1890:—

"I am directed to say that the Governor General in Council has decided, with the approval of Her Majesty's Secretary of State, that the rule contained in paragraph 3 of Home Department Circular No. 21—797-806, dated 13th May 1885, regarding landholding in India which applies to Statutory Civil Servants shall be extended to Natives of India who enter the Indian Civil Service by competition in England."

RESOLUTION.—Copies of the letter from the Government of India should be forwarded to the Revenue, Financial, Political, Judicial and Educational Departments of the Secretariat and to all Heads of Offices under those Departments for information and guidance in continuation of Government Resolution No. 2135, dated 9th June 1885.

Public Servants: Question as to whether — are debarred from serving as Directors or Secretary to the Eurasian and Anglo-Indian Deposit and Loan Society.

No. 4955.

GENERAL DEPARTMENT.

Bombay Castle, 16th December 1890.

Letter from the General Secretary to the Eurasian and Anglo-Indian Association of Western India, dated 7th October 1890—Forwarding copies of the memorandum and Articles of Association of the Eurasian and Anglo-Indian Deposit and Loan Society; enquiring whether Government officials are debarred from serving as Directors or Secretary to the Society under the orders of the Government of India cited in Government Resolution No. 2766, dated 15th July 1889; and requesting that, if so, the Government of India may be moved to exempt the Society from the operation of those orders.

Letter from the Government of India, Home Department, Public, No. 2323, dated 29th November 1890 :—

"I am directed to acknowledge the receipt of your letter No. 4244, dated the 21st October 1890, forwarding for orders a letter from the Secretary to the Eurasian and Anglo-Indian Association of Western India, enquiring whether Government officials are debarred from serving as Directors and Secretary to that Association under the orders of the Secretary of State conveyed in His Lordship's Despatch No. 25, dated the 7th February 1889. If there is any objection the Association requests that the Eurasian and Anglo-Indian Deposit and Loan Society, Limited, may be exempted from the operation of the orders in question.

"2. In reply I am to say that the Governor General in Council sees no objection to public servants taking a part in the direction of the Eurasian and Anglo-Indian Deposit and Loan Society so long as the Government of Bombay is satisfied that the operations of this Society are carried on substantially for the purpose of mutual benefit, and subject to the condition that the public duties of the Government servants engaged in the direction and management of this Society are not interfered with nor their time which should be given to the public service diverted to private business."

RESOLUTION.—Copies of the letter from the Government of India should be forwarded to all Departments of the Secretariat and all Heads of Offices for information.

2. The Secretary, Eurasian and Anglo-Indian Association of Western India, should be informed in terms of paragraph 2 of the letter from the Government of India.

Public Servants: Connection of — with Banks and Public Companies.

No. 2674.

GENERAL DEPARTMENT.

Bombay Castle, 28th July 1891.

Memorandum from the Government of India, Home Department, Public, No. 17-Pub.—1101, dated 26th June 1891—Forwarding for information and guidance in continuation of their letter No. 2323, dated 29th November last, copies of the correspondence noted in the margin on the question of the connection of officers of Government with Banks and public companies.

Despatch from the Government of India, Home Department (Public), No. 13, dated 11th March 1891.
Despatch from the Secretary of State for India, No. 53, Public, dated 11th May 1891.

RESOLUTION.—Copies of the accompaniments to the memorandum from the Government of India should be forwarded to the Judicial Department, the Solicitor to Government and the Coroner of Bombay for information and guidance.

2. Copies should also be forwarded to the other Departments of the Secretariat and all other Heads of Offices in continuation of the Government Resolutions noted in the margin.

No. 3499, dated 24th September 1883.
" 1265, " 25th March 1889, Financial Department.
" 4955, " 16th December 1890.

Despatch from the Government of India, Home Deprtment (Public), No. 13, dated 11th March 1891.

In the Despatch marginally noted, Your Lordship conveyed to us your decision that no officer holding a permanent appointment under Government, whether pensionable or not, should be permitted to serve as a Director of any Bank or public company without previous reference to the Secretary of State for India. We circulated this

To the Government of India, No. 25 (Financial), dated 7th February 1889.

Despatch to the Local Governments and Administrations in June 1889 and asked to be informed of any cases in which officials were serving as Directors of Banks or public companies in contravention of this ruling.

2. We now forward copies of the papers entered in the enclosed list, which show the results of our enquiries.

In Madras, besides Mr. R. B. Michell, Senior Professor of Law in the Presidency College, who was permitted in Your Lordship's Despatch No. 25 (Financial), dated 7th February 1889, to accept the appointment of Director of the Bank of Madras, Mr. E. Barclay, Government Solicitor, Mr. F. Rowlandson, Registrar of the Diocese, and Mr. W. Grant, Crown Prosecutor, are Directors of Companies.

In Bombay, the only case reported is that of Mr. T. Blaney, Coroner of Bombay, who is a Director of three public companies.

The Solicitor to Government at Bombay, though not a Director at present, contends that he is not debarred from serving in this capacity. The Local Government, however, is of opinion that as the Solicitor's duties are closely connected with the general administration, and as his duties as Director of a public company are likely to clash with his duties as a public servant, the prohibition ought to be maintained in this case.

In Bengal, the Secretaries to the Local Government in the Financial and Public Works Departments are *ex-officio* Government Directors of the Darjeeling-Himalayan Railway; Mr. R. L. Upton, Solicitor to Government, is a Director of several Companies; Mr. C. H. Reily, Registrar of the Diocese and in receipt of a retaining fee as Assistant Secretary in the Legislative Department, is a Director of the Calcutta Branch of the Universal Life Assurance Company; Bábu Jogendra Náth Ghose, Demonstrator of Anatomy in the Campbell Medical School, and Bábu Behari Lall Chandra, Special Sub-Registrar of the 24 Parganas, are Directors of the Hindu Family Annuity Fund and the Bengal Christian Family Pension Fund, respectively; several ministerial officers serving in the Pubna, Tipperah, Dacca, Faridpur and Hazaribagh Districts are Directors of Banks, Loan Offices and Carrying Companies in these districts; and two Government Pleaders in the Faridpur and Lohardaga Districts are Directors of the Faridpur Loan Office and the Chutia Nágpur Carrying Company, Limited. The Administrator General has been permitted by us to be a Director of the Bank of Bengal.

In the North-Western Provinces and Oudh, Bápu Nain Sukh, Head Clerk of the Assistant Adjutant General's Office at Meerut, was serving as a Director of the Meerut Bank, but he has, in compliance with our orders, resigned the Directorship.

In the Central Provinces, Bábu Jiwan Chandra Mukerji, Professor of Physics in the Jubbulpore College, who was holding a Directorship on the Board of the Goculdass Cotton Manufacturing Mills at Jubbulpore, was also required to resign the Directorship.

In Burma, there were four officers who were serving as Directors of the Burma Building Association Company, Limited. Their names and the appointments held by them under Government are noted on the margin. One of them, Mr. Dawson, has since died, and the other three gentlemen have of their own accord resigned their positions as Directors of the Association.

Mr. C. F. Ansted, Superintendent, Currency Office.
Mr. P. G. Clague, Superintendent, Comptroller's Office.
Mr. J. Dawson, Superintendent, Public Works, Secretariat.
Mr. W. F. Godfrey, Head Accountant, Public Works Department.

In the Punjab, Assam, Coorg and Hyderabad, no officials are serving as Directors of Banks or public companies.

3. The cases of the Solicitors to Government at Madras and Calcutta, of Messrs. Rowlandson and Reily who are Registrars of the Dioceses of Madras and Calcutta respectively, of Mr. Grant, Crown Prosecutor at Madras, of Dr. Blaney, Coroner of Bombay, and of the Administrator General of Bengal, require Your Lordship's sanction under the orders contained in your Despatch of the 7th February 1889. We think that there is great force in the representations of Messrs. Barclay and Upton that the Solicitors to Government should be permitted to become Directors of Companies, and we have no objection to any of the other officers just mentioned retaining their Directorships. We therefore recommend that sanction should be granted in each case. The Government Pleaders at Faridpur and Lohardaga stand on a similar footing to the Solicitor to Government, and should, in our opinion, also be permitted to retain their Directorships.

4. The orders contained in the 4th paragraph of Lord Kimberley's Despatch No. 73 (Public), dated the 19th July 1883, permit public servants to engage in the management of Associations for the purpose of mutual supply and not of trade and trade profit, provided that such employment is not prejudicial to their work as Government servants. Your Lordship will see that we have received through the Bombay Government a letter from the Eurasian and Anglo-Indian Association of Western India enquiring whether Government officials are debarred from serving as Directors or Secretary to that Association under the orders contained in Your Lordship's Despatch of the 7th February 1889, and requesting that, should this be the case, the Eurasian and Anglo-Indian Deposit and Loan Society, Limited, might be exempted

from the operation of the orders in question. We informed the Bombay Government that we see no objection to public servants taking part in the direction of the Eurasian and Anglo-Indian Deposit and Loan Society, so long as the Local Government is satisfied that the conditions laid down in Lord Kimberley's Despatch are fulfilled. Other Associations of a similar character of which Government servants either are or have recently been Directors are—

The Hindu Family Annuity Fund.

The Bengal Christian Family Pension Fund.

The Services Co-operative Association, Limited, Rangoon.

The Burma Building Association Company, Limited.

We do not feel certain that it may not have been Your Lordship's intention to cancel by the orders of 7th February 1889 the concession made by Lord Kimberley in 1883, and we shall be glad if Your Lordship will inform us whether the views expressed in our Home Secretary's letter of 29th November last to the Government of Bombay are in accordance with your wishes in the matter.

5. In some districts, ministerial officers are Directors of local Banks and Loan Offices. These officials would be eligible to hold Directorships under the 5th paragraph of Lord Kimberley's Despatch of the 19th July 1883, but it seems to us to be doubtful whether these orders are not superseded by the latter ruling of the 7th February 1889. We would, however, recommend that in such cases the orders of July 1883 should be maintained.

Despatch from the Secretary of State for India, No. 53, Public, dated 14th May 1891.

Connection of officers with Banks and other public companies.

I have considered in Council the letter of your Government, No. 13, dated 11th of March last, submitting for orders certain matters relating to the question of the connection of officers of Government with Banks and public companies.

2. In consequence of the instruction contained in the third paragraph of my Despatch (Financial) No. 25, dated 7th of February 1889, Your Excellency in Council caused enquiries to be made in the various Provinces as to what officials were serving as Directors of Banks or public companies; and you now report to me that, as the result of those enquiries, certain officers have relinquished Directorships which they held.

3. As recommended by you in paragraph 3 of your letter, I sanction the retention by certain other officers of the Directorships now held by them, the circumstances in each case being exceptional.

4. With reference to the general question as to the Solicitors to Government at the Presidency towns, I feel that there is force in the representations made by Messrs. Upton and Barclay; and I agree that the Solicitor to Government at Calcutta, the Solicitor to Government at Madras, and the Solicitor to Government at Bombay may be permitted to serve as Directors of Companies, so long as the public service in no way suffers and the interests of the Companies are not antagonistic to those of the Government. The like rule may be applied to Government Pleaders, such as those at Faridpur and Lohardaga, whom you mention, and to Diocesan Registrars, Crown Prosecutors and Coroners.

5. As regards the questions dealt with in the fourth and fifth paragraphs of your letter, my Despatch of the 7th of February 1889 was written with special reference to the appointment of a Director of a Presidency Bank, and it was not my intention to cancel or alter any orders contained in Lord Kimberley's Despatch No. 73, dated 19th July 1883. I accordingly approve the views expressed in your Home Secretary's letter of the 29th of November last to the Government of Bombay.

Instructions issued by the Government of India with a view to prevent officers who may have Government transport animals either in regimental charge or on hire from allowing them to be used for religious processions.

No. 2005.

GENERAL DEPARTMENT.

Bombay Castle, 30th May 1894.

Letter from the Government of India, Home Department, Public, No. 5-Pub.—848, dated 9th May 1894:—

No. 1080-B., dated the 17th April 1894.

"With reference to the accompanying copy of a letter from the Military Department to the address of the Adjutant General in India, desiring the issue of instructions in order to prevent officers who may have Government transport animals in regimental charge or on hire from allowing them to be used in religious processions, I am directed to request that, with the permission of His Excellency the Governor in Council, the attention of Civil officers may be drawn to the matter with a view to a similar rule being observed in the case of elephants of which they may have the use."

RESOLUTION.—Copies of the letter from the Government of India and accompaniment should be forwarded to all Departments of the Secretariat and all Heads of Offices under the Civil Departments of the Secretariat for information and guidance.

No. 1080-B., dated Simla, the 17th April 1894.

From—The Secretary to the Government of India, Military Department;

To—The Adjutant General in India.

Army Regulations, India, Volume V, paragraphs 1976, 1980, 1985, 1989 (clause 3), and 1992.

Under the Regulations quoted in the margin, Army transport animals may be lent for State and private purposes to Civil and Military officers. The Government of India consider it undesirable that these animals should be used for religious processions, and I am accordingly desired to ask that His Excellency the Commander-in-Chief may be moved to issue such instructions as he may consider necessary, with a view to prevent officers who may have Government animals, either in regimental charge or on hire, from allowing them to be used for such a purpose. The Commissary-General-in-Chief will be requested to issue similar instructions to officers of the Commissariat Transport Department regarding animals in charge of that Department.

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No. 368.

POLITICAL DEPARTMENT.

Bombay Castle, 20th January 1891.

CIRCULAR.

Government have lately observed certain unauthorised variations in the uniform adopted by Political officers. Officers entitled to wear political uniform are reminded that the regulations in force are those prescribed by the Foreign Department of the Government of India, and circulated with Government Resolution No. 6125, dated 28th September 1875, to all Political officers A copy of the regulations is attached to this Circular.

W. LEE-WARNER,
Secretary to Government.

MEMORANDUM OF POLITICAL UNIFORMS

I.

FULL DRESS.

Coat.—Blue cloth, with lining of black silk; black velvet collar and cuffs; the coat embroidered in gold according to the pattern of 3rd class English Civil Levee uniform; embroidery to be three inches in width.

Trousers.—Blue cloth, with gold oak lace, two inches wide.

Hat.—Beaver cocked hat, with black silk cockade, black ostrich border feather; double gold bullion loop and plain gold tassel.

Sword.—English pattern, with black scabbard and gilt mountings; sword-knot gold lace with bullion tassel.

Sword Belt.—Silk shoulder, blue cloth frog for sword.

Stock.—White.

Buttons.—Royal Arms, as per English pattern.

UNDRESS (*Morning*).

Coat.—Blue cloth (frock), with black silk lining; black velvet collar and cuffs and gilt buttons with Royal Arms; waistcoat white marsala, single-breasted, with buttons as above.

Hat.—Helmet, white felt, rim edged with gold, peak and neck-shade braided with gold; white silk puggree with gold fringe, according to sealed pattern.

Trousers.—Blue cloth, or white, according to circumstances, with gold oak-leaf one inch wide, straps, and gilt swan-necked spurs, regulation pattern.

Sword.—Mameluke pattern. Brass scabbard.

Sword Belt.—Sling Russia-leather one inch wide, covered with gold oak-leaf lace.

Forage Cap.—Blue cloth, with gold embroidered peak, and band of gold oak-leaf lace two inches wide round the cap.

EVENING DRESS.

Coat.—Blue cloth evening coat, black lining; velvet collar and cuffs; facings plain black silk; waistcoat white marsala, single-breasted, buttons as in morning undress.

Trousers.—Plain black cloth.

II.

FULL DRESS.

Coat.—Blue cloth, with black silk lining, black velvet collar and cuffs; the coat embroidered in gold according to the pattern of 5th class English Civil Levee uniform.

Trousers.—Blue cloth, with gold oak-lace one inch wide.

Hat.—Beaver cocked hat, with black silk cockade, black ostrich border feather; double gold bullion loop and plain gold tassel.

Sword.—English pattern, with black scabbard and gilt mountings; sword-knot gold-lace with bullion tassel.

Sword Belt.—Silk shoulder, blue cloth frog for sword.

Stock.—White.

Buttons.—Royal Arms, as per English pattern.

UNDRESS (*Morning*).

Coat.—Blue cloth (frock), with black silk lining; velvet collar and cuffs and gilt buttons with Royal Arms; waistcoat white marsala, single-breasted, with buttons as above.

Hat.—Helmet, white felt, rim edged with gold, with white silk puggree, according to sealed pattern.

Trousers.—Blue cloth, or white, according to circumstances, with gold oak-leaf half inch wide, straps and gilt swan-necked spurs, regulation pattern.

Sword.—Mameluke pattern. Steel scabbard.

Sword Belt.—Sling Russia-leather one inch wide, covered with gold oak-leaf lace.

Forage Cap.—Blue cloth, with gold embroidered peak, and band of gold oak-leaf lace two inches wide round the cap.

EVENING DRESS.

Coat.—Blue cloth evening coat, black lining; velvet collar and cuffs, facings plain black silk; waistcoat white marsala, single-breasted, buttons as in morning undress.

Trousers.—Plain black cloth.

N.B.—Military Officers can wear their Military uniform if preferred. Military Officers who hold a Political appointment conjoined with a Military appointment will wear their Military uniform.

The helmet may be worn with full dress when the officer is exposed to the sun.

Political Uniforms: Amended list of officers entitled to wear—.

No. 2495.

POLITICAL DEPARTMENT.

Bombay Castle, 17th April 1893.

Circular letter from the Deputy Secretary to the Government of India, Foreign Department, No. 84-G., dated the 17th January 1893—Forwarding, for remarks, a revised list of appointments, the holders of which are entitled to wear the political uniform, and enquiring whether the list, in so far as it affects this Presidency, requires to be altered in respect of the appointments entered in the list.

Letter from ditto ditto, No. 540-G., dated the 30th March 1893—Forwarding, with reference to the correspondence ending with this Department letter No. 1108, dated the 15th February 1893, for the information of this Government, and of the officers concerned, an amended list of appointments, the holders of which are entitled to wear political uniform, which list has been approved by the Governor General in Council.

RESOLUTION.—Copies of the amended list* should be forwarded to the officers concerned for information.

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*Printed as an accompaniment to this Resolution.

(Accompaniment to Government Resolution No. 2495, dated 17th April 1893, Political Department.)

Amended List of Appointments the holders of which are entitled to wear the Political Uniform.

Appointments.	Class.	Remarks.
BOMBAY.		
1. Chief Secretary to Government	i	
2. Secretary to Government in the Political Department ...	i	
3. Commissioners of the Northern, Central, and Southern Divisions	i	
4. Private Secretary to the Governor	i	
5. Agent for Sardars of the Deccan	i	
6. Under Secretary to Government in the Political Department...	ii	
7. Under Secretary to Government resident in Bombay ...	ii	
Goa.		
1. Her Britannic Majesty's Consul at Goa	i	
Sind.		
1. Commissioner in Sind	i	
2. Assistant Commissioner in Sind	ii	
3. Political Agent for the Khairpur State	i	
Aden.		
1. Political Resident at Aden	i	
2. First Assistant Resident and Political Agent, Somali Coast ...	i	
3. All other Assistants to the Political Resident at Aden ...	ii	
Ka'thia'wa'e.		
1. Political Agent in Káthiáwár	i	
2. Judicial Assistant to the Political Agent in Káthiáwár ...	ii	
3. Assistants to the Political Agent in Káthiáwár	ii	
4. President of the Rajasthanik Court	i	
5. Superintendent of Survey under the Rajasthanik Court ...	ii	
Kolha'pur and Southern Mara'tha Country.		
1. Political Agent, Kolhápur and Southern Marátha Country ...	i	
2. Assistant Political Agents, Kolhápur and Southern Marátha Country	ii	
Rewa Ka'ntha and Panch Maha'ls.		
1. Political Agent, Rewa Kántha and Nárukot	i	
2. Assistant Political Agent...	ii	
Cutch.		
1. Political Agent, Cutch	i	
Mahi Ka'ntha.		
1. Political Agent, Mahi Kántha	i	
2. Assistant Political Agent, Mahi Kántha	ii	

Appointments.	Class.	Remarks.
BOMBAY—*continued.*		
PA'LANPUR.		
1. Political Superintendent, Pálanpur	i	
2. Assistant Political Superintendent, Pálanpur	ii	
SA'VANTVA'DI.		
1. Political Superintendent, Sávantvádi...	i	
2. Assistant Political Superintendent	ii	
SURAT.		
1. Agent to the Governor, Surat	i	
2. Administrator, Sachin State	ii	
KHA'NDESH.		
1. Political Agent, Khándesh	i	
2. Assistant Political Agent for the Dángs	ii	
SA'TA'RA.		
1. Political Agent for Aundh and Phaltan	i	
POONA.		
1. Political Agent for Bhor	i	
THA'NA.		
1. Political Agent for Jawhár	i	
KOLA'BA.		
1. Political Agent for Janjira	i	
DHA'RWA'R.		
1. Political Agent for Sávanur	i	
2. Assistant Political Agent...	ii	
NA'SIK.		
1. Political Agent (Surgana)	i	
2. Assistant Political Agent...	ii	
SHOLA'PUR.		
1. Political Agent for Akalkot	i	
KAIRA.		
1. Political Agent for Cámbay	i	

NOTE.—Special Political Agents in charge of 1st Class Native States in Bombay during a minority or management may wear first class uniform and those in charge of 2nd Class States second class uniform.

* * * * *

NOTE.—Nothing in these orders is intended to prohibit the wearing of political uniform by officers not named in the list, who have been accustomed to wear it, in accordance with local practice or long usage.

(Signed) H. M. DURAND,
Secretary to the Government of India, Foreign Department.

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Rules regarding the use of uniform by officers in Civil employ.

No. 2724, dated the 22nd November 1899.

From—The Officiating Secretary to the Government of India, Home Department;

To—The Chief Secretary to the Government of Bombay.

I am directed to inform you that the Governor General in Council has had under consideration the question of the wearing of uniform by officers in the Civil employ of the Government of India and has decided to lay down the rules herewith forwarded. These rules will not apply to officers holding purely political appointments, whose uniform will continue to be regulated by the orders issued in the Foreign Department.

No. 13.

POLITICAL DEPARTMENT.

Bombay Castle, 4th January 1900.

RESOLUTION.—The Rules promulgated by the Government of India should be republished in the *Bombay Government Gazette* for general information and copies should be sent to all Political Agents for information and guidance.

2. Copies of the Rules should also be forwarded to all Departments of the Secretariat for information and guidance, and with a request that they will inform this Department whether they desire to include any heads of Departments under them in the phrase "Heads of the *Principal* Departments" alluded to in Part II (5) of the schedule of offices and appointments, the holders of which are entitled to wear uniform.

3. Copies should also be sent to the Private and the Military Secretaries to His Excellency the Governor, for information.

POLITICAL DEPARTMENT.

Bombay Castle, 6th December 1899.

No. 8306.—The following Notification by the Government of India in the Home Department is republished for general information:—

"PUBLIC.

Calcutta, the 1st December 1899.

No. 2794.—The following Rules regarding the use of uniform by officers in Civil employ are published for general information:—

RULES REGARDING THE USE OF UNIFORM BY OFFICERS IN CIVIL EMPLOY.

These Rules will not apply to officers holding purely Political appointments, whose uniform will continue to be regulated by the orders issued in the Foreign Department.

I.—The uniform to be worn by officers in Civil employ will be that shown in the schedule appended to these Rules.

II.—Civil officers who do not hold purely Political appointments, but merely have some Political work to do in addition to the ordinary duties of their office, are not entitled to wear political uniform.

III.—An officer is not entitled to continue to wear the uniform of an office which he has ceased to hold.

IV.—Military officers in Civil employ will continue to wear uniform under the existing orders (Military Department No. 2504-E., dated the 16th November 1887). But when a Military officer is appointed substantively to any Civil office for which uniform is prescribed, he shall wear the uniform of that office.

V.—An officer appointed temporarily to an office for which a uniform is prescribed need not wear that uniform.

SCHEDULE.

OFFICES AND APPOINTMENTS THE HOLDERS OF WHICH ARE ENTITLED TO WEAR UNIFORM.

PART I.

Offices and appointments under the Government of India.

Offices and Appointments.	Uniform to be worn.
1. Ordinary Members of the Council of the Governor General.	The uniform prescribed for officers of the thi class in the Lord Chamberlain's 'Schedule Civil Uniforms,' page 10 (extract annexed).
2. Secretaries, Deputy Secretaries and Under Secretaries to the Government of India in the following Departments:— Home, Revenue and Agriculture, Finance and Commerce, Public Works, Legislative.	First class uniform as defined in tl 'Memorandum of Political Uniforms attached to Foreign Department Circul No. 540-G., dated the 30th Marc 1893 (copy annexed).
3. Heads of Departments subordinate to the Government of India, viz.— Director-General of Telegraphs, Inspector-General of Forests, Director, Geological Survey, Meteorological Reporter to the Government of India, Comptroller and Auditor General, Director-General of the Post Office, Commissioner, Northern India Salt Revenue.	

PART II.

Heads of Local Governments and Administrations and officers holding appointments subordinate to them.

Offices and appointments.	Uniform to be worn.
1. The Governors of Madras and Bombay ...	The uniform prescribed for officers of the first class in the Lord Chamberlain's 'Schedule of Civil Uniforms,' page 10 (extract annexed).
2. Lieutenant-Governors	The uniform prescribed for officers of the second class in the Lord Chamberlain's 'Schedule of Civil Uniforms,' page 10 (extract annexed).
3. Chief Commissioners of the Central Provinces and Assam.	First class uniform as defined in the 'Memorandum of Political Uniform,' attached to Foreign Department Circular No. 540-G., dated the 30th March 1893 (copy annexed).

Offices and appointments.	Uniform to be worn.
4. Ordinary Members of the Councils of the Governors of Madras and Bombay.	The uniform prescribed for officers of the third class in the Lord Chamberlain's 'Schedule of Civil Uniforms,' page 10 (extract annexed).
5. Secretaries. Heads of the principal Departments. Commissioners of Divisions and Revenue Officers superior to them. Private Secretaries to Governors.	First class uniform as defined in the 'Memorandum of Political Uniforms' attached to Foreign Department Circular No. 540-G., dated the 30th March 1893 (copy annexed).
6. Private Secretaries to Lieutenant-Governors. Under Secretaries in the Political Department.	Second class uniform as prescribed in the 'Memorandum of Political Uniforms' attached to Foreign Department Circular No. 540-G., dated the 30th March 1893 (copy annexed).

(Signed) A. H. L. FRASER,

Officiating Secretary to the Government of India.

HOME DEPARTMENT:

Dated Calcutta, the 22nd November 1899.

Memorandum of political uniforms attached to Foreign Department Circular No. 540-G., dated the 30th March 1893.

[*See page* 151 *ante.*]

Extract from the Lord Chamberlain's 'Schedule of Civil Uniforms,' page 10.

FULL DRESS.

Coat.—Blue cloth, lined with black silk, black velvet collar and cuffs, gold embroi

	1st Class,	5 inches wide.		
	2nd	„ 4	„	„
Same coat,	*3rd*	„ 3	„	„
both for Full and	*4th*	„ 2	„	„
Undress.	*5th*	„ ⅝ inch		„

Breeches.—White Kerseymere, with covered buttons at the knees.

Stockings.—White silk.

Shoes.—With gilt buckles.

Hat.—*1st Class*—Black beaver cocked hat, black silk cockade, *white* ostrich border feather, treble gold bullion loop, with tessels and hangers.

2nd Class—Same, but with double gold bullion loop, plain gold tassels without hangers.

3rd, 4th and 5th Class.—Same, but with *black* ostrich border feather and plaited gold bullion loop—no tassels.

Sword.—Black scabbard with gilt mountings, the sword knot gold lace bullion tassel.

Sword Belt.—Silk shoulder, with white cloth frog for sword.

Stock.—White.

Buttons.—*1st and 2nd Class*—With supporters.

3rd, 4th and 5th Class—Without supporters.

For the Ambassadors, the Full Dress have the addition of embroidered sleeves, and also the back seams.

UNDRESS.

Coat.—Same width embroidery as Full Dress, but only on collar, cuffs, and pocket flaps.

Trousers.—Blue cloth, with gold oak lace.

1st and 2nd Class, 2½ inches wide.
3rd and 4th „ 2 „ „
5th „ 1 inch „

Boots are worn with undress.

Sword Belt.—Silk shoulder, with blue cloth frog."

Orders regarding the wearing of Political uniform by officers in Civil employ.

Letter No. 3862, dated the 28th May 1900.

From—The Secretary to the Government of Bombay, Political Department;

To—The Secretary to the Government of India, Home Department.

I am directed to advert to the Rules regarding the use of uniform by officers in Civil employ received with your letter No. 2724, dated the 22nd November 1899, and to state that the Governor in Council presumes that under Rule II the nineteen officers noted in the margin, who were entitled under the orders conveyed in Government of India, Foreign Department, letter No. 1108, dated the 15th February 1893, to wear political uniform, will no longer be entitled to wear it.

1. Agent for Sadars in the Deccan.
2. Assistant Commissioner in Sind.
3. Political Agent for the Khairpur State.
4. Political Agent, Rewa Kántha.
5. Assistant Political Agent, Rewa Kántha.
6. Agent to His Excellency the Governor at Surat.
7. Administrator, Sachin State.
8. Political Agent, Khándesh.
9. Assistant Political Agent for the Dángs.
10. Political Agent for Aundh and Phaltan.
11. Political Agent for Bhor.
12. „ Jawhár.
13. „ Janjira.
14. „ Sávanur.
15. Assistant Political Agent for Sávanur.
16. Political Agent for Surgána.
17. Assistant Political Agent for Surgána.
18. Political Agent for Akalkot.
19. „ Cambay.

2. If this presumption is correct, I am directed to say that in the case of three of these officers, viz.—

Agent for the Sardars of the Deccan (who is District Judge of Poona),
Assistant Commissioner in Sind,
Political Agent, Rewa Kántha and Nárukot (who is Collector of Panch Maháls),

the Governor in Council thinks that uniforms should continue to be worn. Though these officers do not hold purely political appointments, they have important political duties to perform, including the receiving and paying of visits to Native Chiefs and the occasional appearance in public Darbars both in British territory and in Native States. They have always hitherto worn uniforms on such occasions, and the Governor in Council thinks that it is advisable that they should continue to do so.

3. I am also to say that the Governor in Council recommends that the Under Secretary to Government, Revenue Department, resident in Bombay, who is excluded by the new Rules from the privilege of wearing uniform, should be entered in Part II, No. 6 of the Schedule attached to the Rules. The resident Under Secretary has, in the absence of Government from Bombay, sometimes to be present on the arrival or departure of Native Chiefs, and it seems to the Governor in Council advisable that he should wear uniform on such occasions.

Letter No. 1880, dated the 20th July 1900.

From—The Deputy Secretary to the Government of India, Home Department (Public);

To—The Secretary to the Government of Bombay, Political Department.

I am directed to acknowledge the receipt of your letter No. 3862, dated the 28th May 1900, in which you inquire whether certain officers, mentioned in paragraph 1 of your letter, who have hitherto been entitled to wear political uniform, should continue to be allowed to wear it in view of Rule II of the Rules regarding the use of uniforms by officers in Civil employ.

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2. In reply I am to say that the Governor in Council is correct in assuming that the officers in question are now debarred from wearing uniform. At the same time the Government of India agree to the proposal of His Excellency that the following officers, who have important political duties to perform, should be required to wear it:—

(i) the Agent for the Sardars of the Deccan;

(ii) the Assistant Commissioner in Sind;

(iii) the Political Agent, Rewa Kántha and Nárukot; and

(iv) the Under Secretary to Government, Revenue Department, resident in Bombay.

No. 5927.

POLITICAL DEPARTMENT.

Bombay Castle, 4th August 1900.

RESOLUTION.—Copies of the above letters should be forwarded to the officers concerned for information and guidance.

2. The orders regarding the wearing of political uniform by the officers mentioned in the list which accompanied Government Resolution No. 2495, dated the 17th April 1893, are hereby cancelled so far as the following officers are concerned:—

The Political Agent for the Khairpur State.
The Assistant Political Agent, Rewa Kántha.
The Agent to His Excellency the Governor at Surat.
The Administrator, Sachin State.
The Political Agent, Khándesh.
The Assistant Political Agent for the Dangs.
The Political Agent for Aundh and Phaltan.
The Political Agent for Bhor.
The Political Agent for Jawhár.
The Political Agent for Janjira.
The Political Agent for Sávanur.
The Assistant Political Agent for Sávanur.
The Political Agent for Surgána.
The Assistant Political Agent for Surgána.
The Political Agent for Akalkot.
The Political Agent for Cambay.

Uniforms: Rules regarding the use of—by officers in Civil employ.

No. 6087.

GENERAL DEPARTMENT.

Bombay Castle, 23rd November 1900.

Resolution of Government in the Political Department, No. 13, dated the 4th January 1900—Communicating to the Departments and officers concerned the letter from the Government of India, No. 2724, dated the 22nd November 1899, and the Rules accompanying it, regarding the wearing of uniform by officers in Civil employ.

Memorandum from the Public Works Department, No. E.—216, dated the 3rd February 1900—Stating, with reference to Government Resolution, Political Department, No. 13, dated the 4th January 1900, that there are no Heads of Departments subordinate to the Public Works Department.

Memorandum from the Educational Department, No. 207, dated the 6th February 1900—Recommending, with reference to paragraph 2 of the above Resolution, that the Director of Public Instruction should be included in the phrase "Heads of *principal* Departments" therein alluded to.

Memorandum from the Ecclesiastical Department, No. 22-G., dated the 7th February 1900.

Memorandum from the Marine Department, No. 45-G., dated the 7th February 1900.

Memorandum from the Public Works Department (Railway), No. 314, dated the 12th February 1900.

Memorandum from the Judicial Department, No. 1191, dated the 15th February 1900.

Memorandum from the Revenue and Financial Departments, No. 1635, dated the 10th March 1900.

Stating that they have no recommendations to make with reference to paragraph 2 of the above Resolution.

Memorandum* from the Commissioner in Sind, No. 158, dated the 18th February 1900—Submitting for instruction, with reference to the above Resolution,* a letter from the Political Agent, Khairpur State, No. 1275, dated the 8th February 1900.

Letter from the Government of India, Home Department (Public), No. 509, dated the 24th February 1900:—

"In Part II of the schedule attached to the Rules regarding the use of uniform by officers in Civil employ which were forwarded under cover of Home Department letter No. 2724, dated the 22nd November 1899, it is prescribed that the Heads of the principal Departments under the Local Governments and Administrations should wear first class uniform, as defined in the 'Memorandum of Political Uniforms' attached to Foreign Department Circular No. 540-G.,† dated the 30th March 1893. Questions have been raised as to what officers under the Local Governments and Administrations are to be considered to be Heads of the principal Departments for the above purpose, and I am directed to ask that the Government of India may be informed of the opinion of the Governor in Council in the matter. The object of the Governor General in Council is to secure, as far as possible, that the same practice shall be followed in all Provinces.

"2. I am to add that the Inspector General of Civil Hospitals and the Inspector General of Police (whose Police uniform is prescribed) will wear the uniform of the service to which they belong, and I am to explain that the orders of November last do not apply to Judicial officers."

Memorandum from the Political Department, No. 1939, dated the 13th March 1900—Transferring, for disposal, the above papers and the proceedings underlying Government Resolution in that Department, No. 13, dated the 4th January 1900.

Letter to the Government of India, Home Department (Public), No. 55-M., dated the 11th May 1900:—

"In reply to your letter No. 509, dated the 24th February 1900, in which you inquire the opinion of this Government as to which officers should be considered 'Heads of the principal Departments' for the purposes of the regulations regarding uniforms forwarded with your letter No. 2724, dated 22nd November 1899, I am directed to say that His Excellency the Governor in Council considers that the only officers that need be included in the list are the Commissioner of Customs, Salt, Opium and A'bkári, the Inspector General of Prisons, Registration and Stamps, and (provided that he is required to wear uniform in other Provinces) the Director of Public Instruction. It is presumed that Collectors are not intended by the Government of India to be included in the list, and that the Governor General in Council will himself pass orders on the question whether the Post Master General and the Accountant General, who are not subordinate to this Government, should be required to wear uniform."

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* Disposed of by Government Resolution, Political Department, No. 5927, dated the 4th August 1900.

† *Vide* Government Resolution No. 2495, dated the 17th April 1893.

Letter from the Government of India, Home Department (Public), No. 2630, dated the 29th September 1900 :—

"I am directed to refer to the correspondence ending with your letter No. 55-M., dated the 11th May 1900, upon the subject of the officers who are to be considered as Heads of the principal Departments for the purposes of Part II of the schedule attached to the Rules regarding the use of uniform by officers in Civil employ. I am to say that only the following officers should be regarded as coming within that category and should wear the prescribed uniform :—

The Commissioner of Customs, Salt, Opium and A'bkári.
The Director of Public Instruction.
The Inspector General of Prisons (when not a Military Medical Officer).*
The Accountant General.
The Post Master General."

*When a Military Medical Officer, he will wear the uniform of the service to which he belongs.

Resolution of Government in the Political Department, No. 5927, dated the 4th August 1900.

RESOLUTION.—Copies of the Resolution of Government in the Political Department, No. 13, dated the 4th January 1900, and accompaniment, and of the letter from the Government of India, No. 2630, dated the 29th September 1900, should be forwarded for information and guidance to the officers and Departments concerned.

2. The attention of the Surgeon-General and the Judicial Department should be invited to paragraph 2 of the letter from the Government of India, No. 509, dated the 24th February 1900.